

Gilbertson Wilson
A. Smith Heslin

Pennington

Eckels

Vost

By Williamson

H.J.R. No. 27

A JOINT RESOLUTION

1 proposing a constitutional amendment to reserve to the people the
2 power of initiative.

3 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. That Article I, Section 2 of the Texas Constitu-
5 tion be amended to read as follows:

6 "Section 2. All political power is inherent in the people,
7 and all free governments are founded on their authority, and
8 instituted for their benefit. The faith of the people of Texas
9 stands pledged to the preservation of a democratic [republican]
10 form of government, and, subject to this limitation only, they
11 have at all times the inalienable right to alter, reform or abolish
12 their government in such manner as they may think expedient."

13 SECTION 2. That Article I, Section 6 of the Texas Constitu-
14 tion be amended to read as follows:

15 "Section 6. All persons [men] have a natural and indefeasible
16 right to worship Almighty God according to the dictates of their
17 own consciences. No person [man] shall be compelled to attend,
18 erect or support any place of worship, or to maintain any ministry
19 against his or her consent. No human authority ought, in any case
20 whatever, to control or interfere with the rights of conscience in
21 matters of religion, and no preference shall ever be given by law
22 to any religious society or mode of worship. Laws shall be made,
23 [~~But-it-shall-be-the-duty-of-the-Legislature-to-pass-such-laws~~] as [may-be]
24 necessary, to protect equally every religious denomination in the

1 peaceable enjoyment of its own mode of public worship."

2 SECTION 3. That Article I, Section 12 of the Texas Constitu-
3 tion be amended to read as follows:

4 "Section 12. The writ of habeas corpus is a writ of right,
5 and shall never be suspended. Laws shall be enacted [~~The-Legislature~~
6 ~~shall-enaet-laws~~] to render the remedy speedy and effectual."

7 SECTION 4. That Article I, Section 15 of the Texas Constitu-
8 tion be amended to read as follows:

9 "Section 15. The right of trial by jury shall remain inviolate.
10 Such laws as may be necessary, shall be enacted [~~The-Legislature~~
11 ~~shall-pass-such-laws-as-may-be-needed~~] to regulate the same, and to
12 maintain its purity and efficiency. Laws may be enacted, as needed,
13 to [~~Provided;-that-the-Legislature-may~~] provide for the temporary
14 commitment, for observation and/or treatment, of mentally ill persons
15 not charged with a criminal offense, for a period of time not to
16 exceed ninety (90) days, by order of the County Court without the
17 necessity of a trial by jury."

18 SECTION 5. That Article I, Section 15-a of the Texas Constitu-
19 tion be amended to read as follows:

20 "Section 15-a. No person shall be committed as a person of
21 unsound mind except on competent medical or psychiatric testimony.
22 Such laws as may be necessary, shall be enacted [~~The-Legislature~~
23 ~~may-enaet-all-laws-neecessary~~] to provide for the trial,
24 adjudication of insanity and commitment of persons of unsound mind
25 and to provide for a method of appeal from judgments rendered in
26 such cases. Such laws may provide for a waiver of trial by jury,
27 in cases where the person under inquiry has not been charged with

1 the commission of a criminal offense, by the concurrence of the
2 person under inquiry, or his next of kin, and an attorney ad litem
3 appointed by a judge of either the County or Probate Court of the
4 county where the trial is being held, and shall provide for a
5 method of service of notice of such trial upon the person under
6 inquiry and of his right to demand a trial by jury."

7 SECTION 6. That Article I, Section 23 of the Texas Constitu-
8 tion be amended to read as follows:

9 "Section 23. Every citizen shall have the right to keep and
10 bear arms in the lawful defense of himself or the State; but laws
11 may be enacted [~~the-Legislature-shall-have-power;-by-law;~~] to
12 regulate the wearing of arms [;] with a view to prevent crime."

13 SECTION 7. That Article I, Section 28 of the Texas Constitu-
14 tion be amended to read as follows:

15 "Section 28. No power of suspending laws in this State shall
16 be exercised except by the Legislature and by the qualified
17 electors, as provided elsewhere in this Constitution."

18 SECTION 8. That Article II, Section 1 of the Texas Constitu-
19 tion be amended to read as follows:

20 "Section 1. (a) The powers of the Government of the State of
21 Texas shall be divided into three distinct departments, each of
22 which shall be confided to a separate body of magistracy, to wit:
23 Those which are Legislative to one; those which are Executive to
24 another; [;] and those which are Judicial to another; and no person,
25 or collection of persons, being of one of these departments, shall
26 exercise any power properly attached to either of the others,
27 except in the instances herein expressly permitted.

1 "(b) Provided, however, that the qualified electors may
2 exercise Legislative powers as established elsewhere in this
3 Constitution."

4 SECTION 9. That Article III, Section 1 of the Texas Constitu-
5 tion be amended to read as follows:

6 "Section 1. Except as provided in Article XIII and elsewhere
7 in this Constitution, the [The] Legislative power of this State
8 shall be vested in a Senate and House of Representatives, which
9 together shall be styled 'The Legislature of the State of Texas'.
10 [¹]"

11 SECTION 10. That Article III, Section 29 of the Texas Consti-
12 tution be amended to read as follows:

13 "Section 29. The enacting clause of all laws enacted by the
14 Legislature shall be [¹] 'Be it enacted by the Legislature of the
15 State of Texas [²]' and shall be preceded by the title 'An Act'.
16 The enacting clause of all laws enacted by the qualified electors
17 shall be 'Be it initiated by the people of the State of Texas' and
18 shall be preceded by the title 'An Initiative'."

19 SECTION 11. That Article III, Section 30 of the Texas Consti-
20 tution be amended to read as follows:

21 "Section 30. No law enacted by the Legislature shall be
22 passed [¹] except by bill [²] and no bill shall be so amended in its
23 passage through either House [³] as to change its original purpose."

24 SECTION 12. That Article III, Section 35 of the Texas Consti-
25 tution be amended by amending subsections (b) and (c) thereof to
26 read as follows:

27 "(b) The rules of procedure of each House [~~house~~] shall require

1 that the subject of each bill be expressed in a caption [its-title]
2 in a manner that gives the Legislature [legislature] and the public
3 reasonable notice of that subject. The Legislature [legislature]
4 is solely responsible for determining compliance with the rule.

5 "(c) A law, including a law enacted before November 4, 1986
6 [~~the-effective-date-of-this-subsection~~], may not be held void on
7 the basis of an insufficient caption [title]."

8 SECTION 13. That Article III, Section 36 of the Texas Consti-
9 tution be amended to read as follows:

10 "Section 36. No law, or portion thereof, shall be revived or
11 amended by reference to any heading, byname or caption [its-title];
12 but in such cases [ease] the law [act] revived, or the section or
13 sections amended, shall be re-enacted, quoted in full and published
14 at length."

15 SECTION 14. That Article III, Section 38 of the Texas Consti-
16 tution be amended to read as follows:

17 "Section 38. The presiding officer of each House shall, in
18 the presence of the House over which he presides, sign all bills
19 and [joint] resolutions passed by both Houses of the Legislature,
20 as well as those resolutions concerning only the House over which
21 he presides, after their captions [titles] have been publicly read
22 before signing; and the fact of signing shall be entered in [on]
23 the respective journals."

24 SECTION 15. That Article III, Section 39 of the Texas Consti-
25 tution be amended to read as follows:

26 "Section 39. No law passed by the Legislature, except the
27 general appropriation act, shall take effect or go into force until

1 ninety days after the adjournment of the session at which it was
2 enacted, unless in case of an emergency, which [emergency] must be
3 expressed in the body of the Act and noted in the caption, and [a
4 preamble-or-in-the-body-of-the-act;] the Legislature shall, by a
5 vote of two-thirds of all the members elected to each House, give
6 immediate effect to such Act [otherwise-direct]; said vote to be
7 taken by yeas and nays [;] and entered upon the journals."

8 SECTION 16. That Article III, Section 45 of the Texas Consti-
9 tution be amended to read as follows:

10 "Section 45. The power to change the venue in civil and
11 criminal cases shall be vested in the courts, to be exercised in
12 such manner as shall be provided by law; and laws shall be enacted
13 [the-Legislature-shall-pass-laws] for that purpose."

14 SECTION 17. That Article III, Section 47 of the Texas Consti-
15 tution be amended to read as follows:

16 "Section 47. (a) Laws shall be enacted [The-Legislature-shall
17 pass-laws] prohibiting lotteries and gift enterprises in this State.

18 "(b) Bingo [The-Legislature-by-law-may-authorize-and-regulate
19 bingo] games conducted by a church, synagogue, religious society,
20 volunteer fire department, nonprofit veterans organization, fraternal
21 organization, or nonprofit organization supporting medical research
22 or treatment programs may be authorized by and regulated by law. A law
23 enacted under this subsection must permit the qualified electors
24 [voters] of any county, justice precinct, or incorporated city or
25 town to determine from time to time by a majority vote of the qualified
26 electors [voters] voting on the question at an election whether bingo
27 games may be held in the county, justice precinct, [er] city or town.

1 The law must also require that:

2 "(1) all proceeds from the games are spent in Texas for chari-
3 table purposes of the organizations;

4 "(2) the games are limited to one location as defined by law
5 on property owned or leased by the church, synagogue, religious
6 society, volunteer fire department, nonprofit veterans organization,
7 fraternal organization, or nonprofit organization supporting medical
8 research or treatment programs; and

9 "(3) the games are conducted, promoted, and administered by
10 members of the church, synagogue, religious society, volunteer fire
11 department, nonprofit veterans organization, fraternal organization,
12 or nonprofit organization supporting medical research or treatment
13 programs.

14 "(c) Laws [~~The-law~~] enacted [~~by-the-Legislature~~] authorizing
15 bingo games must include:

16 "(1) a requirement that the entities conducting the games
17 report quarterly to the Comptroller of Public Accounts about the
18 amount of proceeds that the entities collect from the games and
19 the purposes for which the proceeds are spent; and

20 "(2) criminal or civil penalties to enforce the reporting
21 requirement."

22 SECTION 18. That Article III, Section 48-d of the Texas Con-
23 stitution be amended to read as follows:

24 "Section 48-d. Laws may be enacted [~~The-Legislature-shall-have~~
25 ~~the-power~~] to provide for the establishment and creation of rural
26 fire prevention districts and to authorize a tax on the ad valorem
27 property situated in said districts not to exceed [~~Three-()~~ 3¢ [~~]-Cents~~]

1 on the [One-Hundred-{} \$100.00 {}-Dollars] valuation for the support
2 thereof; provided that no tax shall be levied in support of said
3 districts until approved by a vote of the qualified electors [people]
4 residing therein."

5 SECTION 19. That the first section numbered as "48-e" in
6 Article III of the Texas Constitution be amended to read as follows:

7 "Section 48-e. Laws may be enacted to provide for the estab-
8 lishment and creation of special districts to provide emergency
9 services and to authorize the commissioners courts of participating
10 counties to levy a tax on the ad valorem property situated in said
11 districts not to exceed [Ten-Cents-{} 10¢ {}] on the [One-Hundred
12 Dollars-{} \$100.00 {}] valuation for the support thereof; provided
13 that no tax shall be levied in support of said districts until ap-
14 proved by a vote of the qualified electors residing therein. Such
15 a district may provide emergency medical services, emergency ambu-
16 lance services, rural fire prevention and control services, or other
17 emergency services authorized by law [the-Legislature]."

18 SECTION 20. That the second section numbered as "48-e" in
19 Article III of the Texas Constitution be renumbered as "48-f" and
20 be amended to read as follows:

21 "Section 48-f [48-e]. Laws may be enacted to [The-legislature;
22 ~~by-law;-may~~] provide for the creation, operation, and financing of
23 jail districts and may authorize each district to issue bonds and
24 other obligations and to levy an ad valorem tax on property located
25 in the district to pay principal of, and interest on, the bonds and
26 to pay for the operation of the district. An ad valorem tax may not
27 be levied, and bonds secured by a property tax may not be issued, until

1 approved by the qualified electors of the district voting at an
2 election called and held for that purpose."

3 SECTION 21. That Article III, Section 49-b of the Texas Con-
4 stitution be amended to read as follows:

5 "Section 49-b. (a) There shall be [By-virtue-of-prior
6 Amendments-to-this-Constitution;-there-has-been-created] a govern-
7 mental agency of the State of Texas performing such [governmental]
8 duties as shall be prescribed herein and by law to be [which-has
9 been] designated the Veterans' Land Board. Said Board shall [continue
10 to] function for the purposes as provided by law and as prescribed
11 [specified-in-all-of-the-prior-Constitutional-Amendments-except-as
12 modified] herein. Said Board shall be composed of the Commissioner
13 of the General Land Office and two (2) citizens of the State of
14 Texas, one (1) of whom shall be well-versed [well-versed] in
15 veterans' affairs and one (1) of whom shall be well-versed [well
16 versed] in finances. One (1) such citizen member shall, with the
17 advice and consent of the Senate, be appointed biennially by the
18 Governor to serve for a term of four (4) years [-but-the-members
19 serving-on-said-Board-on-the-date-of-adoption-hereof-shall-complete
20 the-terms-to-which-they-were-appointed]. In the event of the
21 resignation or death of any such citizen member, the Governor shall
22 appoint a replacement to serve for the unexpired portion of the term
23 to which the deceased or resigning member had been appointed. The
24 compensation for said citizen members shall be as is now or may
25 hereafter be fixed by law [the-Legislature]; and each shall make bond
26 in such amount as is now or may hereafter be prescribed by law
27 [the-Legislature].

1 "(b) The Commissioner of the General Land Office shall act as
2 Chairman of said Board and shall be the administrator of the
3 Veterans' Land Program under such terms and restrictions as are now
4 or may hereafter be provided by law. In the absence or illness of
5 said Commissioner, the Chief Clerk of the General Land Office shall
6 be the Acting Chairman of said Board with the same duties and
7 powers that said Commissioner would have if present.

8 "(c) The Veterans' Land Board may provide for, issue and sell
9 not to exceed [Nine-Hundred-Fifty-Million-Dollars-{} \$950,000,000
10 {}] in bonds or obligations of the State of Texas for the purpose
11 of creating a fund to be known as the Veterans' Land Fund, [Seven
12 Hundred-Million-Dollars-{} \$700,000,000 {}] of which have heretofore
13 been authorized. Such bonds or obligations shall be sold for not
14 less than par value and accrued interest; shall be issued in such
15 forms, denominations, and upon such terms as are now or may hereafter
16 be provided by law; shall be issued and sold at such times, at such
17 places, and in such installments as may be determined by the Board;
18 and shall bear a rate or rates of interest as may be fixed by said
19 Board but the weighted average annual interest rate, as that phrase
20 is commonly and ordinarily used and understood in the municipal bond
21 market, of all the bonds issued and sold in any installment of any
22 bonds may not exceed the rate specified in Section 65 of this Article.
23 All bonds or obligations issued and sold hereunder shall, after
24 execution by the Board, approval by the Attorney General [of-Texas],
25 registration by the Comptroller of Public Accounts [of-the-State-of
26 Texas], and delivery to the purchaser or purchasers, be incontestable
27 and shall constitute general obligations of the State of Texas under

1 this [the] Constitution [of-Texas]; and all bonds heretofore issued
2 and sold by said Board are hereby in all respects validated and
3 declared to be general obligations of the State of Texas. In order
4 to prevent default in the payment of principal or interest on any
5 such bonds, the Legislature shall appropriate a sufficient amount
6 to pay the same.

7 "(d) In the sale of any such bonds or obligations, a
8 preferential right of purchase shall be given to the administrators
9 of the various Teacher Retirement Funds, the Permanent University
10 Funds, and the Permanent School Funds.

11 "(e) Said Veterans' Land Fund shall consist of any lands
12 heretofore or hereafter purchased by said Board, until the sale
13 price therefor, together with any interest and penalties due, have
14 been received by said Board (although nothing herein shall be con-
15 strued to prevent said Board from accepting full payment for a
16 portion of any tract), and of the moneys attributable to any bonds
17 heretofore or hereafter issued and sold by said Board which moneys
18 so attributable shall include but shall not be limited to the pro-
19 ceeds from the issuance and sale of such bonds; the moneys received
20 from the sale or resale of any lands, or rights therein, purchased
21 with such proceeds; the moneys received from the sale or resale of
22 any lands, or rights therein, purchased with other moneys attrib-
23 utable to such bonds; the interest and penalties received from the
24 sale or resale of such lands, or rights therein; the bonuses, income,
25 rents, royalties, and any other pecuniary benefit received by said
26 Board from any such lands; sums received by way of indemnity or
27 forfeiture for the failure of any bidder for the purchase of any

1 such bonds to comply with his bid and accept and pay for such
2 bonds or for the failure of any bidder for the purchase of any
3 lands comprising a part of said Fund to comply with his bid and
4 accept and pay for any such lands; and interest received from
5 investments of any such moneys. The principal and interest on
6 the bonds heretofore and hereafter issued by said Board shall be
7 paid out of the moneys of said Fund in conformance with the
8 [~~Constitutional~~] provisions of this Constitution authorizing such
9 bonds; but the moneys of said Fund which are not immediately
10 committed to the payment of principal and interest on such bonds,
11 the purchase of lands as herein provided, or the payment of
12 expenses as herein provided may be invested in bonds or obligations
13 of the United States until such funds are needed for such purposes.

14 "(f) All moneys comprising a part of said Fund and not
15 expended for the purposes herein provided shall be a part of said
16 Fund until there are sufficient moneys therein to retire fully all
17 of the bonds heretofore or hereafter issued and sold by said Board,
18 at which time all such moneys remaining in said Fund, except such
19 portion thereof as may be necessary to retire all such bonds which
20 portion shall be set aside and retained in said Fund for the purpose
21 of retiring all such bonds, shall be deposited to the credit of the
22 General Revenue Fund to be appropriated to such purposes as may be
23 prescribed by law. All moneys becoming a part of said Fund there-
24 after shall likewise be deposited to the credit of the General
25 Revenue Fund.

26 "(g) When a Division of said Fund (each Division consisting
27 of the moneys attributable to the bonds issued and sold pursuant

1 to a single [~~Constitutional~~] authorization as provided by this
2 Constitution and the lands purchased therewith) contains sufficient
3 moneys to retire all of the bonds secured by such Division, the
4 moneys thereof, except such portion as may be needed to retire all
5 of the bonds secured by such Division which portion shall be set
6 aside and remain a part of such Division for the purpose of retiring
7 all such bonds, may be used for the purpose of paying the principal
8 and the interest thereon, together with the expenses herein author-
9 ized, of any other bonds heretofore or hereafter issued and sold by
10 said Board. Such use shall be a matter for the discretion and dir-
11 ection of said Board; but there may be no such use of any such moneys
12 contrary to the rights of any holder of any of the bonds issued and
13 sold by said Board or violative of any contract to which said Board
14 is a party.

15 "(h) The Veterans' Land Fund shall be used by said Board for
16 the purpose of purchasing lands situated in [~~the-State-of~~] Texas
17 owned by the United States or any governmental agency thereof,
18 owned by the Texas Prison System or any other governmental agency
19 of the State of Texas, or owned by any person, firm, or corporation.
20 All lands thus purchased shall be acquired at the lowest price
21 obtainable, to be paid for in cash, and shall be a part of said
22 Fund. Such lands heretofore or hereafter purchased and comprising
23 a part of said Fund are hereby declared to be held for a governmental
24 purpose, although the individual purchasers thereof shall be subject
25 to taxation to the same extent and in the same manner as are pur-
26 chasers of lands dedicated to the Permanent Free Public School Fund.

27 "(i) The lands of the Veterans' Land Fund shall be sold by said

1 Board in such quantities, on such terms, at such prices, at such
2 rates of interest and under such rules and regulations as are now
3 or may hereafter be provided by law to veterans, as they are now or
4 may hereafter be defined by law [~~the-laws-of-the-State-of-Texas~~].
5 The foregoing notwithstanding, any lands in the Veterans' Land Fund
6 which have been first offered for sale to veterans and which have
7 not been sold, may be sold, or resold, to such purchasers, in such
8 quantities, and on such terms, and at such prices and rates of
9 interest, and under such rules and regulations as are now or may
10 hereafter be provided by law.

11 "(j) Said Veterans' Land Fund, to the extent of the moneys
12 attributable to any bonds hereafter issued and sold by said Board
13 may be used by said Board, as is now or may hereafter be provided
14 by law, for the purpose of paying the expenses of surveying,
15 monumenting, road construction, legal fees, recordation fees,
16 advertising and other like costs necessary or incidental to the
17 purchase and sale, or resale, of any lands purchased with any of
18 the moneys attributable to such additional bonds, such expenses to
19 be added to the price of such lands when sold, or resold, by said
20 Board; for the purpose of paying the expenses of issuing, selling,
21 and delivering any such additional bonds; and for the purpose of
22 meeting the expenses of paying the interest or principal due or to
23 become due on any such additional bonds.

24 "(k) All of the moneys attributable to any series of bonds
25 hereafter issued and sold by said Board (a 'series of bonds' being
26 all of the bonds issued and sold in a single transaction as a
27 single installment of bonds) may be used for the purchase of lands

1 as herein provided, to be sold as herein provided, for a period
2 ending eight (8) years after the date of sale of such series of
3 bonds; provided, however, that so much of such moneys as may be
4 necessary to pay interest on bonds hereafter issued and sold shall be
5 set aside for that purpose in accordance with the resolution adop-
6 ted by said Board authorizing the issuance and sale of such series
7 of bonds. After such eight (8) year period, all of such moneys
8 shall be set aside for the retirement of any bonds hereafter
9 issued and sold and to pay interest thereon, together with any
10 expenses as provided herein, in accordance with the resolution or
11 resolutions authorizing the issuance and sale of such additional
12 bonds, until there are sufficient moneys to retire all of the bonds
13 hereafter issued and sold, at which time all such moneys then
14 remaining a part of said Veterans' Land Fund and thereafter becoming
15 a part of said Fund shall be governed as elsewhere provided herein.

16 "(1) This Section [Amendment] being intended only to establish
17 a basic framework and not to be a comprehensive treatment of the
18 Veterans' Land Program, [~~there-is-hereby-reposed-in-the-Legislature~~
19 ~~full~~] power to implement and effectuate the design and objects of
20 this Section [Amendment], including the power to delegate such
21 duties, responsibilities, functions, and authority to the Veterans'
22 Land Board as is believed [it-believes] necessary, may be exercised
23 as defined by law.

24 "~~[Should-the-Legislature-enact-any-enabling-laws-in-anticipation~~
25 ~~of-this-Amendment,-no-such-law-shall-be-void-by-reason-of-its~~
26 ~~anticipatory-nature]."~~

27 SECTION 22. That Article III, Section 49-b-1 of the Texas

1 Constitution be amended by amending subsection (e) thereof to
2 read as follows:

3 "(e) The Veterans' Housing Assistance Fund is created, and
4 \$1,000,000,000 [~~\$1-billion~~] of the state bonds authorized by this
5 section shall be used for the Veterans' Housing Assistance Fund,
6 \$500,000,000 [~~\$500-million~~] of which have heretofore been author-
7 ized. Money in the Veterans' Housing Assistance Fund shall be
8 administered by the Veterans' Land Board and shall be used for the
9 purpose of making home mortgage loans to veterans for housing
10 within [~~the-State-of~~] Texas in such quantities, on such terms, at
11 such rates of interest, and under such rules and regulations as
12 may be authorized by law. The expenses of the Board [~~board~~] in
13 connection with the issuance of the bonds and the making of the
14 loans may be paid from money in the Fund [~~fund~~]. The Veterans'
15 Housing Assistance Fund shall consist of any interest of the Board
16 [~~board~~] in all home mortgage loans made to veterans by the Board
17 [~~board~~] pursuant to a Veterans' Housing Assistance Program which
18 may be established by law [~~the-legislature-may-establish-by~~
19 ~~appropriate-legislation~~] until, with respect to any such home
20 mortgage loan, the principal amount, together with any interest
21 and penalties due, have been received by the Board [~~board~~]; the
22 money attributable to any bonds issued and sold by the Board [~~board~~]
23 to provide money for the Fund [~~fund~~], which money so attributable
24 shall include but shall not be limited to the proceeds from the
25 issuance and sale of such bonds; income, rents, and any other
26 pecuniary benefit received by the Board [~~board~~] as a result of making
27 such loans; sums received by way of indemnity or forfeiture for the

1 failure of any bidder for the purchase of any such bonds to comply
2 with his bid and accept and pay for such bonds; and interest received
3 from investments of any such money. The principal of and interest on
4 the general obligation bonds authorized by this section for the
5 benefit of the Veterans' Housing Assistance Fund shall be paid out of
6 the money of the Fund [fund], but the money of the Fund [fund] which
7 is not immediately committed to the payment of principal and interest
8 on such bonds, the making of home mortgage loans as herein provided,
9 or the payment of expenses as herein provided may be invested in bonds
10 or obligations of the United States until the money is needed for such
11 purposes."

12 SECTION 23. That Article III, Section 49-c of the Texas Consti-
13 tution be amended to read as follows:

14 "Section 49-c. (a) There is hereby created as an agency of the
15 State of Texas the Texas Water Development Board to exercise such
16 powers as necessary under this Section [provision] together with
17 such other duties and restrictions as may be prescribed by law.
18 The qualifications, compensation, and number of members of said
19 Board shall be determined by law. They shall be appointed by the
20 Governor with the advice and consent of the Senate in the manner
21 and for such terms as may be prescribed by law.

22 "(b) The Texas Water Development Board shall have the authority
23 to provide for, issue and sell general obligation bonds of the State
24 of Texas in an amount not to exceed [One-Hundred-Million-Dollars-{}]
25 \$100,000,000 [{}]. The Legislature [of-Texas], upon a two-thirds
26 (2/3) vote of the elected members [Members] of each House, may
27 authorize the Board to issue additional bonds in an amount not

1 exceeding [~~One-Hundred-Million-Dollars-()~~ \$100,000,000 ~~()~~]. The
2 bonds authorized herein or permitted to be authorized by the Legis-
3 lature shall be called 'Texas Water Development Bonds', [~~;~~¹] shall
4 be executed in such form, denominations, and upon such terms as may
5 be prescribed by law; [~~;~~] provided, however, that the bonds shall not
6 bear more than four per cent (4%) interest per annum; they may be
7 issued in such installments as the Board finds feasible and practical
8 in accomplishing the purpose set forth herein.

9 "(c) All moneys received from the sale of the State bonds shall
10 be deposited in a fund hereby created in the State Treasury to be
11 known as the Texas Water Development Fund to be administered (with-
12 out further appropriation) by the Texas Water Development Board in
13 such manner as prescribed by law.

14 "(d) Such fund shall be used only for the purpose of aiding or
15 making funds available upon such terms and conditions as may be pre-
16 scribed by law [~~the-Legislature-may-preseribe~~], to the various
17 political subdivisions or bodies politic and corporate of the State
18 of Texas including river authorities, conservation and reclamation
19 districts and districts created or organized or authorized to be
20 created or organized under Article XVI, Section 59 or Article III,
21 Section 52, of this Constitution, interstate compact commissions to
22 which the State of Texas is a party and municipal corporations, in
23 the conservation and development of the water resources of this
24 state [State], including the control, storing and preservation of its storm
25 and flood waters and the waters of its rivers and streams, for all
26 useful and lawful purposes by the acquisition, improvement, extension,
27 or construction of dams, reservoirs and other water storage projects,

1 including any system necessary for the transportation of water from
2 storage to points of treatment and/or distribution, including facil-
3 ities for transporting water therefrom to wholesale purchasers, or
4 for any one or more of such purposes or methods.

5 "(e) Any or all financial assistance as provided herein shall
6 be repaid with interest upon such terms, conditions and manner of
7 repayment as may be provided by law.

8 "(f) While any of the bonds authorized by this Section [pre-
9 vision] or while any of the bonds that may be authorized by the
10 Legislature under this Section [prevision], or any interest on any
11 of such bonds, is outstanding and unpaid, there is hereby appropria-
12 ted out of the first moneys coming into the Treasury in each fiscal
13 year, not otherwise appropriated by this Constitution, an amount
14 which is sufficient to pay the principal and interest on such bonds
15 that mature or become due during such fiscal year, less the amount
16 in the sinking fund at the close of the prior fiscal year.

17 "(g) Provision may be made by law [The-Legislature-may-provide]
18 for the investment of moneys available in the Texas Water Development
19 Fund, and the interest and sinking funds established for the payment
20 of bonds issued by the Texas Water Development Board. Income from
21 such investment shall be used for the purposes prescribed by law [the
22 Legislature]. The Legislature may [also] make appropriations from
23 the General Revenue Fund for paying administrative expenses of the
24 Board.

25 "(h) From the moneys received by the Texas Water Development
26 Board as repayment of principal for financial assistance or as
27 interest thereon, there shall be deposited in the interest and

1 sinking fund for the bonds authorized by this Section
2 sufficient moneys to pay the interest and principal to become due
3 during the ensuing year and sufficient to establish and maintain
4 a reserve in said fund equal to the average annual principal and
5 interest requirements on all outstanding bonds issued under
6 this Section. If any year prior to December 31, 1982, moneys
7 are received in excess of the foregoing requirements then such
8 excess shall be deposited to the Texas Water Development Fund, and
9 may be used for administrative expenses of the Board and for the
10 same purposes and upon the same terms and conditions prescribed
11 for the proceeds derived from the sale of such State bonds. No
12 grant of financial assistance shall be made under the pro-
13 visions of this Section after December 31, 1982, and all moneys
14 thereafter received as repayment of principal for financial
15 assistance or as interest thereon shall be deposited in the interest
16 and sinking fund for the State bonds; except that such amount as may
17 be required to meet the administrative expenses of the Board may be
18 annually set aside; and provided, that after all State bonds have
19 been fully paid with interest, or after there are on deposit in the
20 interest and sinking fund sufficient moneys to pay all future
21 maturities of principal and interest, additional moneys so received
22 shall be deposited to the General Revenue Fund.

23 "(i) All bonds issued hereunder shall after approval by the
24 Attorney General, registration by the Comptroller of Public Accounts
25 [~~of the State of Texas~~], and delivery to the purchasers, be incon-
26 testable and shall constitute general obligations of the State of
27 Texas under this [the] Constitution [~~of Texas~~].

1 "(j) Enabling laws may be enacted to give effect to this
2 Section [Should-the-Legislature-enact-enabling-laws-in-anticipation
3 of-the-adoption-of-this-amendment;-such-acts-shall-not-be-void-by
4 reason-of-their-anticipatory-nature]."

5 SECTION 24. That Article III, Section 49-d of the Texas Con-
6 stitution be amended to read as follows:

7 "Section 49-d. (a) It is hereby declared to be the policy of
8 the State of Texas to encourage the optimum development of the
9 limited number of feasible sites available for the construction or
10 enlargement of dams and reservoirs for conservation of the public
11 waters of the state, which waters are held in trust for the use and
12 benefit of the public, and to encourage the optimum regional
13 development of systems built for the filtration, treatment, and
14 transmission of water and wastewater. The proceeds from the sale
15 of the additional bonds authorized hereunder deposited in the Texas
16 Water Development Fund and the proceeds of bonds previously authorized
17 by [Article-III;] Section 49-c of this Article [Constitution], may be
18 used by the Texas Water Development Board, under such provisions as
19 may be prescribed by law [the-Legislature-may-prescribe-by-General
20 Law], including the requirement of a permit for storage or bene-
21 ficial use, for the additional purposes of acquiring and developing
22 storage facilities, and any system or works necessary for the
23 filtration, treatment and transportation of water or wastewater, or
24 for any one or more of such purposes or methods, whether or not such
25 a system or works is connected with a reservoir in which the State
26 [state] has a financial interest; provided, however, the Texas Water
27 Development Fund or any other State [state] fund provided for water

1 development, transmission, transfer or filtration shall not be used
2 to finance any project which contemplates or results in the removal
3 from the basin of origin of any surface water necessary to supply
4 the reasonably foreseeable future water requirements for the next
5 ensuing fifty-year period within the river basin of origin, except
6 on a temporary, interim basis.

7 "(b) Under such provisions as may be prescribed by law, [~~the Legisla-~~
8 ~~ture-may-prescribe-by-General-Law~~] the Texas Water Development Fund
9 may be used for the conservation and development of water for useful
10 purposes by construction or reconstruction or enlargement of reservoirs
11 constructed or to be constructed or enlarged within [~~the-State-of~~]
12 Texas or on any stream constituting a boundary of the state [~~State~~
13 ~~of-Texas~~], together with any system or works necessary for the fil-
14 tration, treatment and/or transportation of water, by any one or
15 more of the following governmental agencies: by the United States of
16 America or any agency, department or instrumentality thereof; by the
17 State of Texas or any agency, department or instrumentality thereof;
18 by political subdivisions or bodies politic and corporate of the
19 State [~~state~~]; by interstate compact commissions to which the State
20 [~~of-Texas~~] is a party; and by municipal corporations. The
21 [~~Legislature-shall-provide~~] terms and conditions under which the
22 Texas Water Development Board may sell, transfer or lease, in whole
23 or in part, any reservoir and associated system or works which the
24 Texas Water Development Board has financed in whole or in part may
25 be defined by law.

26 "(c) Under such provisions as may be prescribed by law [~~the~~
27 ~~Legislature-may-prescribe-by-General-Law~~], the Texas Water Develop-

1 ment Board may also execute long-term contracts with the United
2 States or any of its agencies for the acquisition and development
3 of storage facilities in reservoirs constructed or to be construc-
4 ted by the Federal Government. Such contracts when executed shall
5 constitute general obligations of the State of Texas in the same
6 manner and with the same effect as State [state] bonds issued under
7 the authority of the preceding Section 49-c of this Article
8 [~~Constitution~~], and the provisions in said Section 49-c with respect
9 to payment of principal and interest on State [state] bonds issued
10 shall likewise apply with respect to payment of principal and in-
11 terest required to be paid by such contracts. If storage facilities
12 are required for a term of years, such contracts shall contain
13 provisions for renewal that will protect the State's [state's]
14 investment.

15 "(d) The aggregate of the bonds authorized hereunder shall not
16 exceed \$200,000,000 and shall be in addition to the aggregate of
17 the bonds previously authorized by said Section 49-c of this
18 Article [~~III-of-this-Constitution~~]. The Legislature upon a two-
19 thirds (2/3) vote of the elected members of each House, may
20 authorize the Board to issue all or any portion of such \$200,000,000
21 in additional bonds herein authorized.

22 "(e) Provision shall be made by law for the [~~The-Legislature~~
23 ~~shall-provide~~] terms and conditions for the Texas Water Development
24 Board to sell, transfer or lease, in whole or in part, any acquired
25 facilities or the right to use such facilities at a price not less
26 than the direct cost of the Board in acquiring same; and provision
27 shall be made by law to provide for the [~~the-Legislature-may-provide~~]

1 terms and conditions for the Board to sell any unappropriated public
2 waters of the state that might be stored in such facilities. As a
3 prerequisite to the purchase of such storage or water, the applicant
4 therefor shall have secured a valid permit from the Texas Water
5 Commission or its successor authorizing the acquisition of such
6 storage facilities or the water impounded therein. The money
7 received from any sale, transfer or lease of facilities shall be
8 used to pay principal and interest on State [state] bonds issued or
9 contractual obligations incurred by the Texas Water Development
10 Board, provided that when moneys are sufficient to pay the full
11 amount of indebtedness then outstanding and the full amount of
12 interest to accrue thereon, any further sums received from the
13 sale, transfer or lease of such facilities shall be deposited and
14 used as provided by law. Money received from the sale of water,
15 which shall include standby service, may be used for the operation
16 and maintenance of acquired facilities, and for the payment of
17 principal and interest on debt incurred.

18 "(f) Enabling laws may be enacted to give effect to this
19 Section. [Should-the-Legislature-enact-enabling-laws-in
20 anticipation-of-the-adoption-of-this-Amendment;-such-Acts-shall
21 not-be-void-by-reason-of-their-anticipatory-character.]"

22 SECTION 25. That Article III, Section 49-d-1 of the Texas
23 Constitution be amended by amending subsections (a), (c) and (f)
24 thereof to read as follows:

25 "(a) The Texas Water Development Board shall upon direction
26 of the Texas Water Quality Board, or any successor agency designated
27 by law [the-Legislature], issue additional Texas Water Development

1 Bonds up to an additional aggregate principal amount of \$200,000,000
2 to provide grants, loans, or any combination of grants and loans for
3 water quality enhancement purposes as established by law [~~the-Legisla-~~
4 ~~ture~~]. The Texas Water Quality Board or any successor agency
5 designated by law [~~the-Legislature~~] may make such grants and loans
6 to political subdivisions or bodies politic and corporate of the
7 State of Texas, including municipal corporations, river authorities,
8 conservation and reclamation districts, and districts created or
9 organized or authorized to be created or organized under Article
10 XVI, Section 59 [;] or Article III, Section 52 [;] of this
11 Constitution, State agencies, and interstate agencies and compact
12 commissions to which the State of Texas is a party, and upon such
13 terms and conditions as may be prescribed by law [~~the-Legislature~~
14 ~~may-authorize-by-general-law~~]. The bonds shall be issued for
15 such terms, in such denominations, form and installments, and upon
16 such conditions as may be prescribed by law [~~the-Legislature-may~~
17 ~~authorize~~].

18 "(c) The bonds authorized in this Section [~~Section-49-d-1~~] and
19 all bonds authorized by Sections 49-c and 49-d of this Article [III]
20 shall bear interest at not more than 6% per annum and mature as the
21 Texas Water Development Board shall prescribe, subject to the limitations
22 which may be imposed by law [~~as-may-be-imposed-by-the-Legislature~~].

23 "(f) Enabling laws may be enacted to give effect to this
24 Section [~~Should-the-Legislature-enact-enabling-laws-in-anticipation~~
25 ~~of-the-adoption-of-this-amendment,-such-Acts-shall-not-be-void-by~~
26 ~~reason-of-their-anticipatory-character~~]."

27 SECTION 26. That Article III, Section 49-d-2 of the Texas

1 Constitution be amended by amending subsections (a) and (b) thereof
2 to read as follows:

3 "(a) The Texas Water Development Board may issue additional
4 Texas Water Development Bonds up to an additional aggregate prin-
5 cipal amount of \$980 million. Of the additional bonds authorized
6 to be issued, \$590 million of those bonds are dedicated for use for the
7 purposes provided by Sections 49-c and 49-d of this Article [artiele]
8 with \$400 million of those bonds to be used for State [state] par-
9 ticipation in the acquisition and development of facilities for the
10 storage, transmission, transportation, and treatment of water and
11 wastewater as authorized by Section 49-d of this Article [artiele].
12 Laws may be enacted to [The-legislature-may] set limits on the
13 extent of State [state] participation in projects in each fiscal
14 year through the General Appropriations Act or other law, and
15 State [state] participation is limited to 50% [pereent] of the
16 funding for any single project. Of the additional bonds authorized,
17 \$190 million are dedicated for use for the purposes provided by
18 Section 49-d-1 of this Article [artiele] and \$200 million are
19 dedicated exclusively for flood control projects and may be made
20 available for any acquisition or construction necessary to achieve
21 structural and nonstructural flood control purposes.

22 "(b) The Texas Water Development Board shall issue the
23 additional bonds authorized by this section for the terms, in the
24 denominations, form, and installments, on the conditions, and
25 subject to the limitations provided by Sections 49-c, 49-d [;] and
26 49-d-1 of this Article [artiele] and by laws [adepted-by-the
27 legislature] implementing those sections."

1 SECTION 27. That Article III, Section 49-d-3 of the Texas
2 Constitution be amended by amending subsection (a) thereof to
3 read as follows:

4 "(a) Laws may be enacted to [~~The-legislature-by-law-may~~]
5 create one or more special funds in the State Treasury [~~state~~
6 ~~treasury~~] for use for or in aid of water conservation, water de-
7 velopment, water quality enhancement, flood control, drainage,
8 subsidence control, recharge, chloride control, agricultural soil
9 and water conservation, desalinization or any combination of those
10 purposes, may make money in a special fund available to cities,
11 counties, special governmental districts and authorities, and other
12 political subdivisions of the State [~~state~~] for use for the purposes
13 for which the fund was created by grants, loans, or any other means,
14 and may appropriate money to any of the special funds to carry out
15 the purposes of this Section [~~section~~]."

16 SECTION 28. That Article III, Section 49-d-4 of the Texas
17 Constitution be amended by amending subsections (a) and (b) thereof
18 to read as follows:

19 "(a) In addition to other programs authorized by this
20 Constitution, laws may be enacted to [~~constitution;-the-legislature~~
21 ~~by-law-may~~] provide for the creation, administration, and imple-
22 mentation of a bond insurance program to which the State [~~state~~]
23 pledges its general credit in an amount not to exceed \$250 million
24 to insure the payment in whole or in part of the principal of and
25 interest on bonds or other obligations that are issued by cities,
26 counties, special governmental districts and authorities, and other
27 political subdivisions of the State [~~state~~] as defined by law for

1 use for or in aid of water conservation, water development, water
2 quality enhancement, flood control, drainage, recharge, chloride
3 control, desalinization, or any combination of those purposes.

4 "(b) Laws shall be enacted to [~~The-legislature-by-law-shall~~]
5 designate the State [state] agency to administer the bond insurance
6 program and may authorize that agency to execute insurance contracts
7 that bind the State [state] to pay the principal of and interest on
8 the bonds if the bonds are in default or the bonds are subject to
9 impending default, subject to the limits provided by this section
10 and by law."

11 SECTION 29. That Article III, Section 49-d-5 of the Texas
12 Constitution be amended to read as follows:

13 "Section 49-d-5. For the purpose of any program established
14 or authorized by Sections [~~Seetien~~] 49-c, 49-d, 49-d-1, 49-d-2 [;]
15 or 49-d-4 of this Article, laws may be enacted to [~~artiele;-the~~
16 ~~legislature-by-law-may~~] extend any benefits to nonprofit water
17 supply corporations that may be extended [~~it-may-extend~~] to a
18 district created or organized under Article XVI, Section 59 [;] of
19 this Constitution [~~eonstitution~~]."

20 SECTION 30. That Article III, Section 49-d-6 of the Texas
21 Constitution be amended by amending subsections (b) and (c) thereof
22 to read as follows:

23 "(b) Laws may be enacted which [~~The-legislature~~] may require
24 review and approval of the issuance of the bonds, of the use of
25 the bond proceeds, or of the rules adopted by an agency to govern
26 use of the bond proceeds. Notwithstanding any other provision of
27 this Constitution [~~eonstitution~~], any entity created or directed to

1 conduct this review and approval may include members or appointees
2 of members of the Executive, Legislative and Judicial [executive;
3 legislative;-and-judicial] departments of State [state] government.

4 "(c) The Texas Water Development Board shall issue the addi-
5 tional bonds authorized by this Section [section] for the terms, in the de-
6 nominations, form, and installments, on the conditions, and subject
7 to the limitations provided by Sections 49-c and 49-d-1 of this
8 Article [article] and by laws enacted in pursuance of this Section
9 [adopted-by-the-legislature-implementing-this-section]."

10 SECTION 31. That Article III, Section 49-e of the Texas Con-
11 stitution be amended to read as follows:

12 "Section 49-e. (a) The Parks and Wildlife Department, or its
13 successor vested with the powers, duties [;] and authority which
14 deals with the operation, maintenance [;] and improvement of State
15 parks [Parks], shall have the authority to provide for, issue and
16 sell general obligation bonds of the State of Texas in an amount
17 not to exceed [~~Seventy-Five-Million-Dollars-~~{ } \$75,000,000 { }].
18 The bonds authorized herein shall be called 'Texas Park Develop-
19 ment Bonds', [;'] shall be executed in such form, denominations,
20 and upon such terms as may be prescribed by law; [;] provided,
21 however, that the bonds shall bear a rate or rates of interest as
22 may be fixed by the Parks and Wildlife Department or its successor,
23 but the weighted average annual interest rate, as that phrase is
24 commonly and ordinarily used and understood in the municipal bond
25 market, of all the bonds issued and sold in any installment of any
26 bonds, shall not exceed [~~four-and-one-half-percent-~~{ } 4 1/2% { }] interest
27 per annum; they may be issued in such installments as said Parks

1 and Wildlife Department, or its said successor, finds feasible and
2 practical in accomplishing the purpose set forth herein.

3 "(b) All moneys received from the sale of said bonds shall be
4 deposited in a fund hereby created in the State Treasury [~~with-the~~
5 ~~State-Treasurer~~] to be known as the Texas Park Development Fund to
6 be administered (without further appropriation) by the said Parks
7 and Wildlife Department, or its said successor, in such manner as
8 prescribed by law.

9 "(c) Such fund shall be used by said Parks and Wildlife
10 Department, or its said successor, under such provisions as may
11 be provided by law [~~the-Legislature-may-prescribe-by-general-law~~],
12 for the purposes of acquiring lands from the United States, or
13 any governmental agency thereof, from any governmental agency of
14 the State of Texas, or from any person, firm, or corporation, for
15 State park sites [~~Park-Sites~~] and for developing said sites as
16 State parks [~~Parks~~].

17 "(d) While any of the bonds authorized by this Section
18 [~~previsien~~], or any interest on any such bonds, is outstanding
19 and unpaid, there is hereby appropriated out of the first moneys
20 coming into the Treasury in each fiscal year, not otherwise
21 appropriated by this Constitution, an amount which is sufficient
22 to pay the principal and interest on such bonds that mature or
23 become due during such fiscal year, less the amount in the interest
24 and sinking fund at the close of the prior fiscal year, which
25 includes any receipts derived during the prior fiscal year by said
26 Parks and Wildlife Department, or its said successor, from admission
27 charges to State parks [~~Parks~~], as may be prescribed by law [~~the~~

1 ~~Legislature-may-prescribe-by-general-law~~].

2 "(e) Provision may be made by law [~~The-Legislature-may-provide~~]
3 for the investment of moneys available in the Texas Park Development
4 Fund and the interest and sinking fund established for the payment
5 of bonds issued by said Parks and Wildlife Department, or its said
6 successor. Income from such investment shall be used for the
7 purposes prescribed by law [~~the-Legislature~~].

8 "(f) From the moneys received by said Parks and Wildlife
9 Department, or its said successor, from the sale of the bonds
10 issued hereunder, there shall be deposited in the interest and
11 sinking fund for the bonds authorized by this Section [~~section~~] sufficient
12 moneys to pay the interest to become due during the State fiscal
13 year in which the bonds were issued. After all bonds have been
14 fully paid with interest, or after there are on deposit in the
15 interest and sinking fund sufficient moneys to pay all future
16 maturities of principal and interest, additional moneys received
17 from admission charges to State parks [~~Parks~~] shall be deposited
18 to the State Parks Fund, or any successor fund which may be
19 established by law [~~the-Legislature~~] as a depository for park
20 [~~Park~~] revenue earned by said Parks and Wildlife Department, or
21 its said successor.

22 "(g) All bonds issued hereunder shall after approval by the
23 Attorney General, registration by the Comptroller of Public
24 Accounts [~~of-the-State-of-Texas~~], and delivery to the purchasers,
25 be incontestable and shall constitute general obligations of the
26 State of Texas under this [~~the~~] Constitution [~~of-Texas~~].

27 "(h) Enabling laws may be enacted to give effect to this

1 Section [~~Should-the-Legislature-enact-enabling-laws-in-anticipation~~
2 ~~of-the-adoption-of-this-amendment,-such-Acts-shall-not-be-void-by~~
3 ~~reason-of-their-anticipatory-nature~~]."

4 SECTION 32. That Article III, Section 49-f of the Texas Con-
5 stitution be amended by amending subsection (a) thereof to read as
6 follows:

7 "(a) Provision may be made by law [~~The-Legislature-by-general~~
8 ~~law-may-provide~~] for the issuance of general obligation bonds of
9 the State [~~state~~], the proceeds of which shall be used to make
10 loans and provide other financing assistance for the purchase of
11 farm and ranch land."

12 SECTION 33. That the first section numbered as "49-g" in
13 Article III of the Texas Constitution be amended to read as follows:

14 "Section 49-g. (a) Laws may be enacted to [~~The-legislature-may~~]
15 authorize (1) the appropriate agency to issue up to \$500 million in
16 general obligation bonds and to use the proceeds of the bonds
17 (without further appropriation) to establish a superconducting
18 super collider fund to be used in any manner appropriate to fund
19 undertakings related to a superconducting super collider research
20 facility sponsored or authorized by the United States government,
21 and (2) the appropriate agency to grant land or property, whether
22 or not acquired from proceeds of the bonds, to the United States
23 government for undertakings related to a superconducting super
24 collider research facility. The superconducting super collider
25 fund shall contain a project account, an interest and sinking
26 account and such other accounts as may be authorized by law [~~the~~
27 ~~legislature~~]. The fund shall be composed of the proceeds of the

1 bonds authorized by this Section [seetion], together with any income
2 from investment of money in the fund, amounts received pursuant to
3 Subsection (b) hereof, and any other amounts authorized to be de-
4 posited in the fund by law [the-legislature].

5 "(b) Bonds issued under this Section [seetion] constitute a
6 general obligation of the State [state]. While any of the bonds or
7 interest on the bonds is outstanding and unpaid, there is appropria-
8 ted out of the first money coming into the Treasury [treasury] in
9 each fiscal year, not otherwise appropriated by this Constitution
10 [eenstitution], the amount sufficient to pay the principal of and
11 interest on the bonds that mature or become due during the fiscal
12 year, less any amount in the interest and sinking account at the
13 end of the preceding fiscal year that is pledged to payment of the
14 bonds or interest.

15 "(c) Laws may be enacted to [The-legislature-may] require
16 review and approval of the issuance of the bonds, of the use of
17 the bond proceeds, or of the rules adopted by an agency to govern
18 use of the bond proceeds. Notwithstanding any other provision of
19 this Constitution [eenstitution], any entity created or directed
20 to conduct this review and approval may include members, or
21 appointees of members, of the Executive, Legislative and Judicial
22 [executive;-legislative;-and-judieial] departments of State [state]
23 government.

24 "(d) Laws may be enacted to give effect to this Section
25 [~~Should-the-legislature-enaet-enabling-laws-in-anticipation-of-the~~
26 ~~adoption-of-this-section;-sueh-acts-shall-not-be-void-by-reason-of~~
27 ~~their-antieipatory-character~~]."

1 SECTION 34. That the second section numbered as "49-g" in
2 Article III of the Texas Constitution be renumbered as "49-i" and
3 be amended to read as follows:

4 "Section 49-i [49-g]. (a) The economic stabilization fund is
5 established as a special fund in the State Treasury [~~state-treasury~~].

6 "(b) The Comptroller of Public Accounts [~~comptroller~~] shall,
7 not later than the 90th day of each biennium, transfer to the eco-
8 nomic stabilization fund one-half of any unencumbered positive
9 balance of general revenues on the last day of the preceding
10 biennium. If necessary, the Comptroller [~~comptroller~~] shall reduce
11 the amount transferred in proportion to the other amounts prescribed
12 by this Section [~~section~~] to prevent the amount in the fund from
13 exceeding the limit in effect for that biennium under Subsection
14 (g) of this Section [~~section~~].

15 "(c) Not later than the 90th day of each fiscal year, the
16 Comptroller [~~comptroller-of-public-accounts~~] shall transfer from
17 general revenue to the economic stabilization fund the amounts
18 prescribed by Subsections (d) and (e) of this Section [~~section~~].
19 However, if necessary, the Comptroller [~~comptroller~~] shall reduce
20 proportionately the amounts transferred to prevent the amount in
21 the fund from exceeding the limit in effect for that biennium
22 under Subsection (g) of this Section [~~section~~].

23 "(d) If in the preceding year, the State [~~state~~] received
24 from oil production taxes a net amount greater than the net amount
25 of oil production taxes received by the State [~~state~~] in the fiscal
26 year ending August 31, 1987, the Comptroller [~~comptroller~~] shall
27 transfer to the economic stabilization fund an amount equal to 75%

1 [percent] of the difference between those amounts. The Comptroller
2 [comptroller] shall retain the remaining 25% [percent] of the
3 difference as general revenue. In computing the net amount of oil
4 production taxes received, the Comptroller [comptroller] may not
5 consider refunds paid as a result of oil overcharge litigation.

6 "(e) If in the preceding year, the State [state] received
7 from gas production taxes a net amount greater than the net amount
8 of gas production taxes received by the State [state] in the fiscal
9 year ending August 31, 1987, the Comptroller [comptroller] shall
10 transfer to the economic stabilization fund an amount equal to 75%
11 [percent] of the difference between those amounts. The Comptroller
12 [comptroller] shall retain the remaining 25% [percent] of the
13 difference as general revenue. For the purposes of this Subsection
14 [subsection], the Comptroller [comptroller] shall adjust his compu-
15 tation of revenues to reflect only 12 months of collection.

16 "(f) The Legislature [legislature] may appropriate additional
17 amounts to the economic stabilization fund.

18 "(g) During each fiscal biennium, the amount in the economic
19 stabilization fund may not exceed an amount equal to 10% [percent]
20 of the total amount, excluding investment income, interest income,
21 and amounts borrowed from special funds, deposited in general
22 revenue during the preceding biennium.

23 "(h) In preparing an estimate of anticipated revenues for a
24 succeeding biennium as required by Section 49a of this Article
25 [Article-III;-Section-49a;-of-this-constitution], the Comptroller
26 [comptroller] shall estimate the amount of the transfers that will
27 be made under Subsections (b), (d) [,] and (e) of this Section

1 [seetien]. The Comptroller [eemptreller] shall deduct that amount
2 from the estimate of anticipated revenues as if the transfers were
3 made on August 31 of that fiscal year.

4 "(i) The State Treasurer [state-treasurer] shall credit to
5 general revenue interest due to the economic stabilization fund
6 that would result in an amount in the economic stabilization fund
7 that exceeds the limit in effect under Subsection (g) of this
8 Section [seetien].

9 "(j) The Comptroller [eemptreller], with the consent of the
10 State Treasurer [state-treasurer], may transfer money from the
11 economic stabilization fund to general revenue to prevent or to
12 eliminate a temporary cash deficiency in general revenue. The
13 Comptroller [eemptreller] shall return the amount transferred to
14 the economic stabilization fund as soon as practicable, but not
15 later than August 31 of each odd-numbered year. The State Treasurer
16 [state-treasurer] shall allocate the depository interest as if the
17 transfers had not been made. If the Comptroller [eemptreller]
18 submits a statement to the Governor [governor] and to the Legisla-
19 ture [legislature] under [Article-III;] Section 49a [;] of this
20 Article [constitution] when money from the economic stabilization
21 fund is in general revenue, the Comptroller [eemptreller] shall
22 state that the transferred money is not available for appropriation
23 from general revenue.

24 "(k) Amounts from the economic stabilization fund may be
25 appropriated during a regular legislative session only for a
26 purpose for which an appropriation from general revenue was made
27 by the preceding legislature and may be appropriated in a special

1 session only for a purpose for which an appropriation from general
2 revenue was made in a preceding [legislative] session of the same
3 legislature. An appropriation from the economic stabilization fund
4 may be made only if the Comptroller [comptroller] certifies that
5 appropriations from general revenue made by the preceding legislature
6 for the current biennium exceed available general revenues and cash
7 balances for the remainder of that biennium. The amount of an appro-
8 priation from the economic stabilization fund may not exceed the
9 difference between the Comptroller's [comptroller's] estimate of
10 general revenue for the current biennium at the time the Comptroller
11 [comptroller] receives for certification the bill making the appro-
12 priation and the amount of general revenue appropriations for that
13 biennium previously certified by the Comptroller [comptroller].
14 Appropriations from the economic stabilization fund under this
15 Subsection [subseetion] may not extend beyond the last day of the
16 current biennium. An appropriation from the economic stabilization
17 fund must be approved by a 3/5 [three-fifths] vote of the members present
18 in each House [house] of the Legislature [legislature].

19 "(1) If an estimate of anticipated revenues for a succeeding
20 biennium prepared by the Comptroller [comptroller] pursuant to
21 [Article-III,] Section 49a [,] of this Article [constitution] is
22 less than the revenues that are estimated at the same time by the
23 Comptroller [comptroller] to be available for the current biennium,
24 the Legislature [legislature] may, by a 3/5 [three-fifths] vote of the
25 members present in each House of the Legislature [house,] appropri-
26 ate for the succeeding biennium from the economic stabilization
27 fund an amount not to exceed this difference. Following each

1 fiscal year, the actual amount of revenue shall be computed, and if
2 the estimated difference exceeds the actual difference, the
3 Comptroller [~~eomptreoller~~] shall transfer the amount necessary from
4 general revenue to the economic stabilization fund so that the
5 actual difference shall not be exceeded. If all or a portion of
6 the difference in revenue from one biennium to the next results,
7 at least in part, from a change in a tax rate or base adopted by
8 the Legislature [~~legislature~~], the computation of revenue differ-
9 ence shall be adjusted to the amount that would have been avail-
10 able had the rate or base not been changed.

11 "(m) In addition to the appropriation authority provided by
12 Subsections (k) and (l) of this Section [~~seetion~~], the Legislature
13 [~~legislature~~] may, by a two-thirds vote of the members present in
14 each House of the Legislature [~~house~~], appropriate amounts from
15 the economic stabilization fund at any time and for any purpose.

16 "(n) Money appropriated from the economic stabilization fund
17 is subject to being withheld or transferred, within any limits
18 provided by statute, by any person or entity authorized to exercise
19 the power granted by Article XVI, Section 69, of this Constitution
20 [~~constitution~~].

21 "(o) In this section, 'net' means the amount of money that is
22 equal to the difference between gross collections and refunds
23 before the Comptroller [~~eomptreoller~~] allocates the receipts as
24 provided by law.

25 "(p) This Section [~~seetion~~] takes effect September 1, 1989.
26 This Subsection, however, [~~subseetion~~] expires September 2, 1989."

27 SECTION 35. That Article III, Section 49-h of the Texas Con-

stitution be amended to read as follows:

"Section 49-h. (a) Laws may be enacted to [The-legislature may] authorize the issuance of up to \$500 million in general obligation bonds and the use of the bond proceeds for acquiring, constructing, or equipping new facilities or for major repair or renovation of existing facilities of corrections institutions, including youth corrections institutions, and mental health and mental retardation institutions. Laws may be enacted to [The-legislature-may] require the review and approval of the issuance of the bonds and the projects to be financed by the bond proceeds. Notwithstanding any other provision of this Constitution [econstitution], the issuer of the bonds or any entity created or directed to review and approve projects may include members or appointees of members of the Executive, Legislative and Judicial [executive;-legislative;-and judicial] departments of State [state] government.

"(b) Bonds issued under this Section [seetien] constitute a general obligation of the State [state]. While any of the bonds or interest on the bonds is outstanding and unpaid, there is appropriated out of the first money coming into the State Treasury [treasury] in each fiscal year, not otherwise appropriated by this Constitution [econstitution], the amount sufficient to pay the principal of and interest on the bonds that mature or become due during the fiscal year, less any amount in any sinking fund at the end of the preceding fiscal year that is pledged to payment of the bonds or interest."

SECTION 36. That Article III, Section 50a of the Texas Constitution be amended to read as follows:

1 "Section 50a. A State Medical Education Board shall be created
2 by law [~~The-Legislature-shall-create-a-State-Medical-Education-Board~~]
3 to be composed of not more than six (6) members whose qualifications,
4 duties and terms of office shall be prescribed by law. A State Med-
5 ical Education Fund shall also be established by law and the Legis-
6 lature shall [~~The-Legislature-shall-also-establish-a-State-Medical~~
7 ~~Education-Fund-and~~] make adequate appropriations therefor to be used
8 by the State Medical Education Board to provide grants, loans or
9 scholarships to students desiring to study medicine and agreeing to
10 practice in the rural areas of this state [State], upon such terms
11 and conditions as shall be prescribed by law. The term 'rural
12 areas' as used in this Section shall be defined by law."

13 SECTION 37. That Article III, Section 50b of the Texas Consti-
14 tution be amended by amending subsections (a), (b), (d) and (f)
15 thereof to read as follows:

16 "(a) Provision may be made by law to authorize the Coordinating
17 Board, Texas College and University System, or its successor or
18 successors, [~~The-Legislature-may-provide-that-the-Coordinating-Board,~~
19 ~~Texas-College-and-University-System,-or-its-succesor-or-successors,~~
20 ~~shall-have-the-authority~~] to provide for, issue and sell general
21 obligation bonds of the State of Texas in an amount not to exceed
22 [~~Eighty-five-Million-Dollars-(\$~~] \$85,000,000 [~~)]~~. The bonds
23 authorized herein shall be called 'Texas College Student Loan
24 Bonds', [~~;~~] shall be executed in such form, denominations and upon
25 such terms as may be prescribed by law; [~~;~~] provided, however, that
26 the bonds shall not bear more than four per cent (4%) interest per
27 annum; they may be issued in such installments as the Board finds

1 feasible and practical in accomplishing the purposes of this
2 Section.

3 "(b) All moneys received from the sale of such bonds shall be
4 deposited in a fund hereby created in the State Treasury to be known
5 as the Texas Opportunity Plan Fund to be administered by the Coordinating Board, Texas College and University System, or its successor
6 or successors to make loans to students who have been admitted to
7 attend any institution of higher education within the state [State
8 of-Texas], public or private, including Junior Colleges, which are
9 recognized or accredited under terms and conditions prescribed by law
10 [the-Legislature], and to pay interest and principal on such bonds
11 and provide a sinking fund therefor under such conditions as provided
12 by law [the-Legislature-may-prescribe].

14 "(d) Laws may be enacted to [The-Legislature-may] provide for
15 the investment of moneys available in the Texas Opportunity Plan
16 Fund, and the interest and sinking funds established for the payment
17 of bonds issued by the Coordinating Board, Texas College and University System, or its successor or successors. Income from such investment shall be used for the purposes prescribed by law [the
18 Legislature].

21 "(f) Enabling laws may be enacted to give effect to this
22 Section [~~Should-the-Legislature-enact-enabling-laws-in-anticipation~~
23 ~~of-the-adoption-of-this-Amendment;-such-acts-shall-not-be-void~~
24 ~~because-of-their-anticipatory-nature~~]."

25 SECTION 38. That Article III, Section 50b-1 of the Texas
26 Constitution be amended by amending subsections (a) and (e) thereof
27 to read as follows:

1 "(a) Laws may be enacted to [~~The-Legislature-may~~] provide that
2 the Coordinating Board, Texas College and University System, or its
3 successor or successors, shall have authority to provide for, issue
4 and sell general obligation bonds of the State of Texas in an amount
5 not to exceed [~~Two-Hundred-Million-Dollars-{} \$200,000,000 {}~~] in
6 addition to those heretofore authorized to be issued pursuant to
7 Section 50b of this Article [~~the-Constitution~~]. The bonds author-
8 ized herein shall be executed in such form, upon such terms and be
9 in such denomination as may be prescribed by law and shall bear
10 interest, and be issued in such installments as shall be prescribed
11 by the Board provided that the maximum net effective interest rate
12 to be borne by such bonds may be fixed by law.

13 "(e) Enabling laws may be enacted to give effect to this
14 Section [~~Should-the-Legislature-enact-enabling-laws-in-anticipation~~
15 ~~of-the-adoption-of-this-Amendment;-such-acts-shall-not-be-void~~
16 ~~because-of-their-anticipatory-nature~~]."

17 SECTION 39. That Article III, Section 50c of the Texas Con-
18 stitution be amended by amending subsections (a), (c) and (d)
19 thereof to read as follows:

20 "(a) Laws may be enacted to [~~The-Legislature-may~~] provide that
21 the Commissioner of Agriculture [~~commissioner-of-agriculture~~] shall
22 have the authority to provide for, issue, and sell general obliga-
23 tion bonds of the State of Texas in an amount not to exceed \$10
24 million. The bonds shall be called 'Farm and Ranch Loan Security
25 Bonds' and shall be executed in such form, denominations, and on
26 such terms as may be prescribed by law. The bonds shall bear
27 interest rates fixed by law [~~the-Legislature-of-the-State-of-Texas~~].

1 "(c) The Farm and Ranch Loan Security Fund shall be used by
2 the Commissioner of Agriculture [~~commissioner-of-agriculture~~] under
3 provisions prescribed by law [~~the-legislature~~] for the purpose of
4 guaranteeing loans used for the purchase of farm and ranch real
5 estate, for acquiring real estate mortgages or deeds of trust on
6 lands purchased with guaranteed loans, and to advance to the bor-
7 rower a percentage of the principal and interest due on those loans;
8 provided that the Commissioner [~~commissioner~~] shall require at
9 least six percent (6%) interest be paid by the borrower on any
10 advance of principal and interest. Laws may be enacted to [~~The~~
11 ~~legislature-may~~] authorize the Commissioner [~~commissioner~~] to sell
12 at foreclosure any land acquired in this manner, and proceeds from
13 that sale shall be deposited in the Farm and Ranch Loan Security
14 Fund.

15 "(d) Laws may be enacted to [~~The-legislature-may~~] provide for
16 the investment of money available in the Farm and Ranch Loan Secur-
17 ity Fund and the interest and sinking fund established for the pay-
18 ment of bonds issued by the Commissioner of Agriculture [~~commissioner~~
19 ~~of-agriculture~~]. Income from the investment shall be used for pur-
20 poses prescribed by law [~~the-legislature~~]."

21 SECTION 40. That Article III, Section 50-e of the Texas Con-
22 stitution be amended to read as follows:

23 "Section 50-e. (a) For the purposes of providing surety for the
24 Texas grain warehouse self-insurance fund, laws may be enacted to
25 [~~the-legislature-by-general-law-may~~] establish or provide for a
26 guarantee of the fund not to exceed \$5 million.

27 "(b) At the beginning of the fiscal year after the fund

1 reaches \$5 million, as certified by the Comptroller of Public Ac-
2 counts [~~comptroller-of-public-accounts~~], the guarantee of the fund
3 shall cease and this provision shall expire.

4 "(c) Laws may be enacted to give effect to this Section
5 [~~Should-the-legislature-enact-any-enabling-laws-in-anticipation-of~~
6 ~~this-amendment;-no-such-law-shall-be-void-by-reason-of-its-antici-~~
7 ~~pating-nature~~].

8 "(d) If the provisions of this Section are found to [~~section~~] conflict
9 with any other provisions of this Constitution [~~constitution~~], the
10 provisions of this Section [~~section~~] shall prevail."

11 SECTION 41. That Article III, Section 51-a of the Texas Con-
12 stitution be amended to read as follows:

13 "Section 51-a. (a) Laws may be enacted [~~The-Legislature-shall~~
14 ~~have-the-power;-by-General-Laws;~~] to provide, subject to limitations
15 herein contained, and such other limitations, restrictions and regula-
16 tions as may be prescribed by law [~~by-the-Legislature-be-deemed~~
17 ~~expedient;~~] for assistance grants to needy dependent children and
18 the caretakers of such children, needy persons who are totally and
19 permanently disabled because of a mental or physical handicap, needy
20 aged persons and needy blind persons.

21 "(b) Laws may be enacted to provide [~~The-Legislature-may-provide~~
22 ~~by-General-Law~~] for medical care, rehabilitation and other similar
23 services for needy persons. Laws may be enacted to [~~The-Legislature~~
24 ~~may~~] prescribe such other eligibility requirements for participation
25 in these programs as [~~it-deems~~] appropriate and may make appropriations out
26 of State [~~state~~] funds for such purposes. The maximum amount paid
27 out of State [~~state~~] funds for assistance grants, to or on behalf

1 of needy dependent children and their caretakers shall not exceed
2 the amount of [Eighty-Million-Dollars-{} \$80,000,000 {}] during
3 any fiscal year, except that the limit shall be [One-Hundred-Sixty
4 Million-Dollars-{} \$160,000,000 {}] for the two years of the 1982-
5 1983 biennium. For the two years of each subsequent biennium, the
6 maximum amount shall not exceed one percent (1%) of the State
7 [state] budget. Laws shall be enacted to [The-Legislature-by
8 general-statute-shall] provide for the means for determining the
9 State [state] budget amounts, including State [state] and other
10 funds appropriated by the Legislature, to be used in establishing
11 the biennial limit.

12 "(c) Provided further, that if the limitations and restrictions
13 herein contained are found to be in conflict with the provisions of
14 applicable [appropriate] federal statutes, as they now are or as
15 they may be amended to the extent that federal matching money is not
16 available to the State [state] for these purposes, then and in that
17 event laws may be enacted to impose [the-Legislature-is-specifically
18 authorized-and-empowered-to-prescribe] such limitations and restric-
19 tions [and-enact-such-laws] as may be necessary in order that such
20 federal matching money will be available for assistance and/or
21 medical care for or on behalf of needy persons.

22 "(d) Nothing in this Section shall be construed to amend,
23 modify or repeal Section 31 of Article XVI of this Constitution;
24 provided further, however, that such medical care, services or as-
25 sistance shall also include the employment of objective or subjec-
26 tive means, without the use of drugs, for the purpose of ascer-
27 taining and measuring the powers of vision of the human eye, and

1 fitting lenses or prisms to correct or remedy any defect or abnormal
2 condition of vision. Nothing herein shall be construed to permit
3 optometrists to treat the eyes for any defect whatsoever in any
4 manner nor to administer nor to prescribe any drug or physical
5 treatment whatsoever, unless such optometrist is a regularly li-
6 censed physician or surgeon under the laws of this State [state]."

7 SECTION 42. That Article III, Section 51-c of the Texas Con-
8 stitution be amended to read as follows:

9 "Section 51-c. The Legislature may grant aid and compensation
10 to any person who has heretofore paid a fine or served a sentence
11 in prison, or who may hereafter pay a fine or serve a sentence in
12 prison, under the laws of this State for an offense for which he
13 or she is not guilty, under such regulations and limitations as
14 may be prescribed by law [~~the-Legislature-may-deem-expedient~~]."

15 SECTION 43. That Article III, Section 51-d of the Texas Con-
16 stitution be amended to read as follows:

17 "Section 51-d. Laws may be enacted [~~The-Legislature-shall~~
18 ~~have-the-power;-by-general-law;~~] to provide for the payment of
19 assistance by the State of Texas to the surviving spouse, minor
20 children, and surviving dependent parents, brothers, and sisters
21 of officers, employees, and agents, including members of organized
22 volunteer fire departments and members of organized police reserve
23 or auxiliary units with authority to make an arrest, of the State
24 [state] or of any city, county, district, or other political sub-
25 division who, because of the hazardous nature of their duties,
26 suffer death in the course of the performance of those official
27 duties. Enabling laws may be enacted to give effect to this Section

1 [Should-the-Legislature-enact-any-enabling-laws-in-anticipation-of
2 this-amendment;-no-such-law-shall-be-void-by-reason-of-its-antici-
3 patory-nature]."

4 SECTION 44. That Article III, Section 51g of the Texas Consti-
5 tution be amended to read as follows:

6 "Section 51g. Laws may be enacted [The-Legislature-shall-have
7 the-power-to-pass-such-laws] as may be necessary to enable the
8 State to enter into agreements with the Federal Government to ob-
9 tain for proprietary employees of its political subdivisions cover-
10 age under the old-age and survivors insurance provisions of Title
11 II of the Federal Social Security Act as amended. The Legislature
12 shall have the power to make appropriations and authorize all obli-
13 gations necessary to the establishment of such Social Security
14 coverage program."

15 SECTION 45. That Article III, Section 52 of the Texas Consti-
16 tution be amended by amending subsection (b) thereof to read as
17 follows:

18 "(b) As provided by law, [~~Under-Legislative-provision;~~] any
19 county, any political subdivision of a county, any number of adjoin-
20 ing counties, or any political subdivision of the State, or any
21 defined district now or hereafter to be described and defined within
22 the State of Texas, and which may or may not include [;] towns, villages
23 or municipal corporations, upon a vote of a 2/3 [~~two-thirds~~] majority of
24 the resident property taxpayers voting thereon who are qualified electors
25 of such district or territory to be affected thereby, in addition to
26 all other debts, may issue bonds or otherwise lend its credit in any
27 amount not to exceed 1/4 [~~one-fourth~~] of the assessed valuation of the real

1 property of such district or territory, except that the total bon-
2 ded indebtedness of any city or town shall never exceed the limits
3 imposed by other provisions of this Constitution, and levy and col-
4 lect taxes to pay the interest thereon and provide a sinking fund
5 for the redemption thereof, as State law [the-Legislature] may
6 authorize, and in such manner as it may authorize the same, for
7 the following purposes to wit:

8 "(1) The improvement of rivers, creeks [,] and streams to
9 prevent overflows, and to permit of navigation thereof, or irriga-
10 tion thereof, or in aid of such purposes.

11 "(2) The construction and maintenance of pools, lakes, reser-
12 voirs, dams, canals and waterways for the purposes of irrigation,
13 drainage or navigation, or in aid thereof.

14 "(3) The construction, maintenance and operation of macadamized,
15 graveled or paved roads and turnpikes, or in aid thereof."

16 SECTION 46. That Article III, Section 52-a of the Texas Con-
17 stitution be amended to read as follows:

18 "Section 52-a. Notwithstanding any other provision of this
19 Constitution, laws may be enacted to [~~constitution;-the-legislature~~
20 ~~may~~] provide for the creation of programs and the making of loans
21 and grants of public money, other than money otherwise dedicated by
22 this Constitution [~~constitution~~] to use for a different purpose,
23 for the public purposes of development and diversification of the
24 economy of the state, the elimination of unemployment or underem-
25 ployment in the state, the stimulation of agricultural innovation,
26 the fostering of the growth of enterprises based on agriculture, or
27 the development or expansion of transportation or commerce in the

1 state. Any bonds or other obligations of a county, municipality,
2 or other political subdivision of the State [state] that are issued
3 for the purpose of making loans or grants in connection with a pro-
4 gram authorized by law [the-legislature] under this Section [section]
5 and that are payable from ad valorem taxes must be approved by a vote
6 of the majority of the registered voters of the county, municipality,
7 or political subdivision voting on the issue. Laws may be enacted to
8 give effect to this Section [An-enabling-law-enacted-by-the-legisla-
9 ture-in-anticipation-of-the-adoption-of-this-amendment-is-not-void
10 because-of-its-anticipatory-character]."

11 SECTION 47. That Article III, Section 52d of the Texas Consti-
12 tution be amended to read as follows:

13 "Section 52d. (a) Upon the vote of a majority of the resident
14 qualified electors owning rendered taxable property therein so
15 authorizing, a county or road district may collect an annual tax
16 for a period not exceeding five (5) years to create a fund for con-
17 structing lasting and permanent roads and bridges or both. No con-
18 tract involving the expenditure of any of such fund shall be valid
19 unless, when it is made, money shall be on hand in such fund.

20 "(b) At such election, the Commissioners' Court shall submit
21 for adoption a road plan and designate the amount of special tax
22 to be levied; the number of years said tax is to be levied; the
23 location, description, and character of the roads and bridges; and
24 the estimated cost thereof. The funds raised by such taxes shall
25 not be used for purposes other than those specified in the plan
26 submitted to the qualified electors [voters]. Elections may be
27 held from time to time to extend or discontinue said plan or to

1 increase or diminish said tax. The procedures to be followed
2 hereunder shall be prescribed by law [~~Legislature-shall-enact~~
3 ~~laws-preseribing-the-procedure-hereunder~~].

4 "(c) The provisions of this Section [~~seetion~~] shall apply only
5 to Harris County and road districts therein."

6 SECTION 48. That Article III, Section 52f of the Texas Consti-
7 tution be amended to read as follows:

8 "Section 52f. A county with a population of 5,000 or less,
9 according to the most recent federal census, may construct and
10 maintain private roads if it imposes a reasonable charge for the
11 work. Laws may be enacted to [~~The-Legislature-by-general-law-may~~]
12 limit this authority. Revenue received from private road work may
13 be used only for the construction, including right-of-way acquisi-
14 tion, or maintenance of public roads."

15 SECTION 49. That Article III, Section 57 of the Texas Consti-
16 tution be amended to read as follows:

17 "Section 57. Only the Legislature shall be empowered to enact
18 a local or special law and no such [~~No~~] local or special law shall
19 be passed, unless notice of the intention to apply therefor shall
20 have been published in the locality where the matter or thing to be
21 affected may be situated, which notice shall state the substance of
22 the contemplated law, and shall be published at least thirty days
23 prior to the introduction into the Legislature of such bill and in
24 the manner to be provided by law. The evidence of such notice
25 having been published, shall be exhibited in the Legislature, be-
26 fore such Act [~~aet~~] shall be passed."

27 SECTION 50. That Article III, Section 59 of the Texas Consti-

1 tution be amended to read as follows:

2 "Section 59. Laws may be enacted [~~The-Legislature-shall-have~~
3 ~~power-to-pass-such-laws~~] as may be necessary to provide for Work-
4 mens' Compensation Insurance for such State employees, as [~~in-its~~
5 ~~judgment~~] is necessary or required; and to provide for the payment
6 of all costs, charges, and premiums on such policies of insurance;
7 providing the State shall never be required to purchase insurance
8 for any employee."

9 SECTION 51. That Article III, Section 60 of the Texas Consti-
10 tution be amended to read as follows:

11 "Section 60. Laws may be enacted [~~The-Legislature-shall-have~~
12 ~~the-power-to-pass-such-laws~~] as may be necessary to enable all
13 counties and other political subdivisions of this State to provide
14 Workmens' [~~Workman's~~] Compensation Insurance, including the right
15 to provide its own insurance risk, for all employees of the county
16 or political subdivision as [~~in-its-judgment~~] is necessary or re-
17 quired; and laws shall be enacted [~~the-Legislature-shall-provide~~
18 ~~suitable-laws~~] for the administration of such insurance in the
19 counties or political subdivisions of this State and for the pay-
20 ment of the costs, charges and premiums on such policies of insur-
21 ance and the benefits to be paid thereunder."

22 SECTION 52. That the first section numbered as "61" in
23 Article III of the Texas Constitution be renumbered as "60-a" and
24 be amended to read as follows:

25 "Section 60-a [~~61~~]. Laws shall be enacted [~~The-Legislature~~
26 ~~shall-have-the-power-to-enaet-laws~~] to enable cities, towns, and
27 villages of this State to provide Workmens' [~~Workmen's~~] Compensa-

1 tion Insurance, including the right to provide their own insurance
2 risk for all employees; and laws may be enacted [~~the-Legislature~~
3 ~~shall-provide-suitable-laws~~] for the administration of such insur-
4 ance in the said municipalities and for payment of the costs,
5 charges, and premiums on policies of insurance and the benefits to
6 be paid thereunder."

7 SECTION 53. That Article III, Section 63 of the Texas Consti-
8 tution be amended to read as follows:

9 "Section 63. (1) Statutes may be enacted to [~~The-Legislature~~
10 ~~may-by-statute~~] provide for the consolidation of some functions of
11 government of any one or more political subdivisions comprising or
12 located within any county in this State having [~~one-million;-two~~
13 ~~hundred-thousand-{} 1,200,000 {}~~] or more inhabitants. Any such
14 statute shall require an election to be held within the political
15 subdivisions affected thereby with approval by a majority of the
16 qualified electors [~~voters~~] in each of these political subdivisions,
17 under such terms and conditions as may be required by law [~~the~~
18 ~~Legislature-may-require~~].

19 "(2) The county government, or any political subdivision(s)
20 comprising or located therein, may contract one with another for
21 the performance of governmental functions required or authorized
22 by this Constitution or the laws [~~Laws~~] of this State, under such
23 terms and conditions as said laws [~~the-Legislature~~] may prescribe.
24 The term 'governmental functions', [~~;~~⁴] as it relates to counties,
25 includes all duties, activities and operations of state-wide impor-
26 tance in which the county acts for the State, as well as of local
27 importance, whether required or authorized by this Constitution or

1 by law [the-Laws-of-this-State]."

2 SECTION 54. That Article III, Section 64 of the Texas Consti-
3 tution be amended to read as follows:

4 "Section 64. (a) Laws may be enacted to [The-Legislature-may
5 by-speeial-statute] provide for consolidation of governmental of-
6 fices and functions of government of any one or more political sub-
7 divisions comprising or located within any county. Any such statute
8 shall require an election to be held within the political subdiv-
9 isions affected thereby with approval by a majority of the qualified
10 electors [voters] in each of these subdivisions, under such terms
11 and conditions as may be prescribed by law [the-Legislature-may-re-
12 quire].

13 "(b) The county government, or any political subdivision(s)
14 comprising or located therein, may contract one with another for the
15 performance of governmental functions required or authorized by this
16 Constitution or the laws [Laws] of this State, under such terms and
17 conditions as may be prescribed by law [the-Legislature-may-prescribe].
18 No person acting under a contract made pursuant to this Subsection
19 [{b}] shall be deemed to hold more than one office of honor, trust or
20 profit or more than one civil office of emolument. The term 'govern-
21 mental functions', [;'] as it relates to counties, includes all du-
22 ties, activities and operations of statewide importance in which the
23 county acts for the State, as well as of local importance, whether
24 required or authorized by this Constitution or the laws [Laws] of
25 this State."

26 SECTION 55. That Article III, Section 65 of the Texas Consti-
27 tution be amended by amending subsection (b) thereof to read as

1 follows:

2 "(b) Bonds issued by the Veterans' Land Board after November
3 2, 1982 [~~the-effective-date-of-this-subsection~~] bear interest at a
4 rate or rates determined by the Board [~~board~~], but the rate or
5 rates may not exceed a net effective interest rate of 10% per year
6 unless otherwise provided by law. A statute that is in effect on
7 or after November 2, 1982 [~~the-effective-date-of-this-subsection~~]
8 and that sets as a maximum interest rate payable on bonds issued
9 by the Veterans' Land Board a rate different from the maximum rate
10 provided by this Subsection [~~subsection~~] is ineffective unless
11 reenacted [~~by-the-legislature~~] after that date."

12 SECTION 56. That Article IV, Section 11 of the Texas Consti-
13 tution be amended to read as follows:

14 "Section 11. (a) There shall be by law established [~~The-Leg-~~
15 ~~islature-shall-by-law-establish~~] a Board of Pardons and Paroles
16 which shall [~~and-shall-require-it-to~~] keep a record of its actions
17 and the reasons for its actions. Parole laws may be enacted in
18 pursuit of the objectives of this Section [~~The-Legislature-shall~~
19 ~~have-authority-to-enact-parole-laws~~].

20 "(b) In all criminal cases, except treason and impeachment,
21 the Governor shall have power, after conviction, on the written
22 signed recommendation and advice of the Board of Pardons and
23 Paroles, or a majority thereof, to grant reprieves and commutations
24 of punishment and pardons; under such rules as may be prescribed by
25 law [~~the-Legislature-may-prescribe~~], and upon the written recommen-
26 dation and advice of a majority of the Board of Pardons and Paroles,
27 he shall have the power to remit fines and forfeitures. The

1 Governor shall have the power to grant one reprieve in any capital
2 case for a period not to exceed thirty (30) days; and he shall have
3 power to revoke conditional pardons. With the advice and consent
4 of the Legislature, he may grant reprieves, commutations of punish-
5 ment and pardons in cases of treason."

6 SECTION 57. That Article IV, Section 11A of the Texas Consti-
7 tution be amended to read as follows:

8 "Section 11A. The Courts of the State of Texas having original
9 jurisdiction of criminal actions shall have the power, after convic-
10 tion, to suspend the imposition or execution of sentence and to
11 place the defendant upon probation and to reimpose such sentence,
12 under such conditions as may be prescribed by law [~~the-Legislature~~
13 ~~may-prescribe~~]."

14 SECTION 58. That Article IV, Section 12 of the Texas Consti-
15 tution be amended by amending subsection (b) thereof to read as
16 follows:

17 "(b) Laws may be enacted to [~~The-Legislature-by-general-law~~
18 ~~may~~] limit the term to be served by a person appointed by the
19 Governor to fill a vacancy in a State [~~state~~] or district office
20 to a period that ends before the vacant term otherwise expires or,
21 for an elective office, before the next election at which the
22 vacancy is to be filled, if the appointment is made on or after
23 November 1 preceding the general election for the succeeding term
24 of office of Governor and the Governor is not elected at that elec-
25 tion to the succeeding term. For purposes of this Subsection
26 [~~subseetion~~], the expiration of a term of office or the creation
27 of a new office constitutes a vacancy."

1 SECTION 59. That Article IV, Section 25 of the Texas Consti-
2 tution be amended to read as follows:

3 "Section 25. Laws shall be enacted [~~The-Legislature-shall-pass~~
4 ~~efficient-laws~~] facilitating the investigation of breaches of trust
5 and duty by all custodians of public funds and providing for their
6 suspension from office on reasonable cause shown, and for the appoint-
7 ment of temporary incumbents of their offices during such suspension."

8 SECTION 60. That Article V, Section 3-b of the Texas Constitu-
9 tion be amended to read as follows:

10 "Section 3-b. Laws shall be enacted to provide [~~The-Legisla-~~
11 ~~ture-shall-have-the-power-to-provide-by-law;~~] for an appeal dir-
12 ectly [~~direct~~] to the Supreme Court of this State from an order of
13 any trial court granting or denying an interlocutory of permanent
14 injunction on the grounds of the constitutionality or unconstitu-
15 tionality of any statute of this State, or on the validity or
16 invalidity of any administrative order issued by any State [~~state~~]
17 agency under any statute of this State [~~state~~]."

18 SECTION 61. That Article V, Section 10 of the Texas Constitu-
19 tion be amended to read as follows:

20 "Section 10. In the trial of all causes in the District
21 Courts, the plaintiff or defendant shall, upon application made in
22 open court, have the right of trial by jury; but no jury shall be
23 empaneled in any civil case unless demanded by a party to the case,
24 and a jury fee be paid by the party demanding a jury, for such sum
25 [~~;-and-with-such-exceptions~~] as may be prescribed by the Legisla-
26 ture and with such exceptions as may be established by law."

27 SECTION 62. That Article V, Section 20 of the Texas Constitu-

tion be amended to read as follows:

"Section 20. There shall be elected for each county, by the qualified electors [~~voters~~], a County Clerk, who shall hold his office for four years, who shall be clerk of the County and Commissioners Courts and recorder of the county, whose duties, perquisites and fees of office shall be prescribed by law [~~the-Legislature~~], and a vacancy in whose office shall be filled by the Commissioners Court, until the next general election; provided, that in counties having a population of less than 8,000 persons there may be an election of a single Clerk, who shall perform the duties of District and County Clerks."

SECTION 63. That Article V, Section 21 of the Texas Constitution be amended to read as follows:

"Section 21. A County Attorney, for counties in which there is not a resident Criminal District Attorney, shall be elected by the qualified electors [~~voters~~] of each county, who shall be commissioned by the Governor, and hold his office for the term of four years. In case of vacancy, the Commissioners Court of the county shall have the power to appoint a County Attorney until the next general election. The County Attorneys shall represent the State in all cases in the District and inferior courts in their respective counties; but if any county shall be included in a district in which there shall be a District Attorney, the respective duties of District Attorneys and County Attorneys shall in such counties be regulated by law [~~the-Legislature~~]. Provision may be made by law [~~The-Legislature-may-provide~~] for the election of District Attorneys in such districts, as may be deemed necessary, and [~~make~~] provision

1 shall be made for the compensation of District Attorneys and County
2 Attorneys. District Attorneys shall hold office for a term of four
3 years, and until their successors have qualified."

4 SECTION 64. That Article V, Section 23 of the Texas Constitu-
5 tion be amended to read as follows:

6 "Section 23. There shall be elected by the qualified electors
7 [veters] of each county a Sheriff, who shall hold his office for
8 the term of four years, whose duties and perquisites, and fees of
9 office, shall be prescribed by law [~~the-Legislature~~], and vacancies
10 in whose office shall be filled by the Commissioners Court until
11 the next general election."

12 SECTION 65. That Article V, Section 29 of the Texas Constitu-
13 tion be amended to read as follows:

14 "Section 29. The County Court shall hold at least four terms
15 for both civil and criminal business annually, as may be provided
16 by law [~~the-Legislature~~], or by the Commissioners' Court of the
17 county under authority of law, and such other terms each year as
18 may be fixed by the Commissioners' Court; provided, the Commis-
19 sioners' Court of any county having fixed the times and number of
20 terms of the County Court, shall not change the same again until
21 the expiration of one year. Said court shall dispose of probate
22 business either in term time or vacation, under such regulation as
23 may be prescribed by law. Prosecutions may be commenced in said
24 courts in such manner as is or may be provided by law, and a jury
25 therein shall consist of six persons [~~men~~]. Until otherwise pro-
26 vided, the terms of the County Court shall be held on the first
27 Mondays in February, May, August and November, and may remain in

1 session three weeks."

2 SECTION 66. That Article VI, Section 1 of the Texas Constitu-
3 tion be amended to read as follows:

4 "Section 1. The following classes of persons shall not be
5 allowed to vote in this State, to wit:

6 "First: Persons under eighteen (18) [~~twenty-one-(21)~~] years
7 of age.

8 "Second: Persons of unsound mind [~~Idiots-and-lunatics~~].

9 "Third: All paupers supported by any county.

10 "Fourth: All persons convicted of any felony, subject to
11 such exceptions as may be provided by law [~~the-Legislature-may~~
12 ~~make~~]."

13 SECTION 67. That Article VI, Section 2 of the Texas Constitu-
14 tion be amended to read as follows:

15 "Section 2. Every person subject to none of the foregoing
16 disqualifications who shall have attained the age of eighteen (18)
17 [~~twenty-one-(21)~~] years and who shall be a citizen of the United
18 States and who shall have resided in this State one (1) year next
19 preceding an election and the last six (6) months within the dis-
20 trict or county in which such person offers to vote, shall be
21 deemed a qualified elector; provided, however, that before offering
22 to vote at an election, a qualified elector [~~a-voter~~] shall have
23 registered annually, but such requirement for registration shall
24 not be considered a qualification of an elector within the meaning
25 of the term 'qualified elector' as used in any other Article of this
26 Constitution in respect to any matter except qualification and
27 eligibility to vote at an election. [~~Any-legislation-enacted-in~~

1 ~~anticipation-of-the-adoption-of-this-Amendment-shall-not-be-invalid~~
2 ~~because-of-its-anticipatory-nature:]~~ Absentee voting may be
3 ~~authorized by law~~ [The-Legislature-may-authorize-absentee-voting].
4 ~~[And-this-provision-of-the-Constitution-shall-be-self-enacting~~
5 ~~without-the-necessity-of-further-legislation:]"~~

6 SECTION 68. That Article VI, Section 2a of the Texas Consti-
7 tution be amended by amending subsections (b) and (c) thereof to
8 read as follows:

9 "(b) Notwithstanding any other provision of this Constitution,
10 laws may be enacted to [~~the-Legislature-may-enact-laws-and~~] provide
11 for a method of registration, including the time for such registra-
12 tion, permitting any person (1) who is qualified to vote in this
13 state [State] except for the residence requirements of Section 2 of
14 this Article, and (2) who shall have resided anywhere within this
15 state [State] at least thirty (30) days next preceding a general
16 election [~~General-Election~~] in a presidential election year, and
17 (3) who shall have been a qualified elector in another state immedi-
18 ately prior to his relocation [~~removal~~] to this state [State] or
19 would have been eligible to vote in such other state had he re-
20 mained there until such election, to vote for electors for Presi-
21 dent and Vice President of the United States in that election.

22 "(c) Notwithstanding any other provision of this Constitution,
23 laws may be enacted to [~~the-Legislature-may-enact-laws-and~~] provide
24 for a method of registration, including the time for such regis-
25 tration, permitting absentee voting for electors for President and
26 Vice President of the United States in this state [State] by for-
27 mer residents of this state [State] (1) who have relocated [~~removed~~]

1 to another state, and (2) who meet all qualifications, except resi-
2 dence requirements, for voting for electors for President and Vice
3 President in this state [State] at the time of the election, but
4 the privileges of suffrage so granted shall be only for such per-
5 iod of time as would permit a former resident of this state [State]
6 to meet the residence requirements for voting in his new state of
7 residence, and in no case for more than twenty-four (24) months."

8 SECTION 69. That Article VI, Section 4 of the Texas Consti-
9 tution be amended to read as follows:

10 "Section 4. In all elections by the people, the vote shall be
11 by ballot, and laws shall be enacted to [~~the-Legislature-shall~~] pro-
12 vide for the numbering of tickets and make such other regulations as
13 may be necessary to detect and punish fraud and preserve the purity
14 of the ballot box; and laws shall be enacted to provide [~~the-Legis-~~
15 ~~lature-shall-provide-by-law~~] for the registration of all qualified
16 electors [~~voters~~]."

17 SECTION 70. That Article VII, Section 1 of the Texas Consti-
18 tution be amended to read as follows:

19 "Section 1. A general diffusion of knowledge being essential
20 to the preservation of the liberties and rights of the people, laws
21 shall be enacted [~~it-shall-be-the-duty-of-the-Legislature-of-the~~
22 ~~State~~] to establish and make suitable provision for the support and
23 maintenance of an efficient system of public free schools. The
24 Legislature may make all necessary appropriations for this purpose."

25 SECTION 71. That Article VII, Section 3 of the Texas Consti-
26 tution be amended to read as follows:

27 "Section 3. One-fourth of the revenue derived from the State

1 occupation taxes and poll tax of one dollar on every inhabitant of
2 the State, between the ages of twenty-one and sixty years, shall be
3 set apart annually for the benefit of the public free schools; and
4 in addition thereto, there shall be levied and collected an annual
5 ad valorem State tax of such an amount not to exceed 35¢ [thirty-five
6 cents] on the [one-hundred-{} \$100.00 {}-dollars] valuation, as
7 with the available school fund arising from all other sources, will
8 be sufficient to maintain and support the public schools of this
9 state [State] for a period of not less than six months in each
10 year, and it shall be the duty of the State Board of Education to
11 set aside a sufficient amount out of the said tax to provide free
12 text books for the use of children attending the public free schools
13 of this State; provided, however, that should the limit of taxa-
14 tion herein named be insufficient, the deficit may be met by appro-
15 priation from the general funds of the State and laws shall be en-
16 acted to [the-Legislature-may-also] provide for the formation of
17 school districts [district-by-general-laws]; and all such school
18 districts may embrace parts of two or more counties, and laws
19 shall be enacted to provide [the-Legislature-shall-be-authorized
20 to-pass-laws] for the assessment and collection of taxes in all
21 said districts and for the management and control of the public
22 school or schools of such districts, whether such districts are
23 composed of territory wholly within a county or in parts of two or
24 more counties, and laws may be enacted to [the-Legislature-may]
25 authorize an additional ad valorem tax to be levied and collected
26 within all school districts heretofore formed or hereafter formed,
27 for the further maintenance of public free schools, and for the

erection and equipment of school buildings therein; provided that a majority of the qualified property taxpaying electors [voters] of the district voting at an election to be held for that purpose, shall vote such tax not to exceed in any one year [~~one-~~] \$1.00 [~~]-dollar~~] on the \$100.00 [~~one-hundred-dollars~~] valuation of the property subject to taxation in such district, but the limitation upon the amount of school district tax herein authorized shall not apply to incorporated cities or towns constituting separate and independent school districts, nor to independent or common school districts created by general or special law."

SECTION 72. That Article VII, Section 5 of the Texas Constitution be amended by amending subsection (b) thereof to read as follows:

"(b) Laws may be enacted to [~~The-legislature-by-law-may~~] provide for using the permanent school fund and the income from the permanent school fund to guarantee bonds issued by school districts."

SECTION 73. That Article VII, Section 8 of the Texas Constitution be amended to read as follows:

"Section 8. Laws shall be enacted to [~~The-Legislature-shall~~] provide [~~by-law~~] for a State Board of Education, whose members shall be appointed or elected in such manner and by such authority and shall serve for such terms as shall be prescribed by law [~~the Legislature-shall-prescribe~~] not to exceed six years. The said Board [~~board~~] shall perform such duties as may be prescribed by law."

SECTION 74. That Article VII, Section 9 of the Texas Constitution be amended to read as follows:

"Section 9. All lands heretofore granted for facilities for

1 the benefit of the handicapped, orphans or individuals of unsound
2 mind [~~Lunatic;-Blind;-Deaf-and-Dumb;-and-Orphan-Asylums~~], together
3 with such donations as may have been or may hereafter be made to
4 either of them, respectively, as indicated in the several grants,
5 are hereby set apart to provide a permanent fund for the support,
6 maintenance and improvement of said facilities [Asylums]. And laws
7 may be enacted to [~~the-Legislature-may~~] provide for the sale of
8 the lands and the investment of the proceeds in the manner [as]
9 provided for the sale and investment of school lands in Section
10 [~~section~~] 4 of this Article."

11 SECTION 75. That Article VII, Section 10 of the Texas Consti-
12 tution be amended to read as follows:

13 "Section 10. There shall be established a University of the
14 first class to be located by a vote of the people of this state
15 and styled, 'The University of Texas' for the promotion of litera-
16 ture and the arts and sciences, including an agricultural and me-
17 chanical department. Said University shall be maintained, supported,
18 organized and directed by action of the Legislature and as shall be
19 prescribed by law. [~~The-Legislature-shall-as-soon-as-practicable~~
20 ~~establish;-organize-and-provide-for-the-maintenance;-support-and~~
21 ~~direction-of-a-University-of-the-first-class;-to-be-located-by-a~~
22 ~~vote-of-the-people-of-this-State;-and-styled;- 'The-University-of~~
23 ~~Texas'; -for-the-promotion-of-literature;-and-the-arts-and-sciences;~~
24 ~~including-an-Agricultural-and-Mechanical-department.-]"~~

25 SECTION 76. That Article VII, Section 12 of the Texas Consti-
26 tution be amended to read as follows:

27 "Section 12. The land herein set apart to the University fund

1 shall be sold under such regulations, at such times, and on such
2 terms as may be provided by law; and laws shall be enacted to [the
3 Legislature-shall] provide for the prompt collection, at maturity,
4 of all debts due on account of University lands, heretofore sold,
5 or that may hereafter be sold, and shall in neither event have the
6 power to grant relief to the purchasers."

7 SECTION 77. That the first section numbered as "16" in
8 Article VII of the Texas Constitution be renumbered as "15-a" and
9 be amended to read as follows:

10 "Section 15-a [16]. There shall be laws enacted to [The-Leg-
11 islature-shall] fix [by-law] the terms of all offices of the public
12 school system and of the State institutions of higher education,
13 inclusive, and the terms of members of the respective boards, not
14 to exceed six years."

15 SECTION 78. That Article VII, Section 17 of the Texas Consti-
16 tution be amended by amending subsection (i) thereof to read as
17 follows:

18 "(i) Portions [The-legislature-by-general-law-may-dedicate
19 portions] of the State's [state's] revenues to the creation of a
20 dedicated fund ('the higher education fund') for the purposes ex-
21 pressed in Subsection (a) of this Section, may themselves be dedi-
22 cated by law [section]. Laws shall be enacted to [The-Legislature
23 shall] provide for administration of the fund, which shall be in-
24 vested in the manner provided for investment of the permanent uni-
25 versity fund. The income from the investment of the higher educa-
26 tion fund shall be credited to the higher education fund until such
27 time as the fund totals \$2 billion. The principal of the higher

1 education fund shall never be expended. At the beginning of the
2 fiscal year after the fund reaches \$2 billion, as certified by the
3 Comptroller of Public Accounts [~~comptroller-of-public-accounts~~],
4 the dedication of general revenue funds provided for in Subsection
5 (a) of this Section [~~section~~] shall cease. At the beginning of
6 the fiscal year after the fund reaches \$2 billion, and each year
7 thereafter, 10% [~~percent~~] of the interest, dividends, and other
8 income accruing from the investments of the higher education fund
9 during the previous fiscal year shall be deposited and become part
10 of the principal of the fund, and out of the remainder of the
11 annual income from the investment of the principal of the fund
12 there shall be appropriated an annual sum sufficient to pay the
13 principal and interest due on the bonds and notes issued under
14 this Section [~~section~~] and the balance of the income shall be
15 allocated, distributed, and expended as provided for the appropria-
16 tions made under Subsection (a)."

17 SECTION 79. That Article VIII, Section 1 of the Texas Consti-
18 tution be amended to read as follows:

19 "Section 1. (a) Taxation shall be equal and uniform. All
20 real property and tangible personal property in this state [~~State~~],
21 whether owned by natural persons or corporations, other than
22 municipal, shall be taxed in proportion to its value, which shall
23 be ascertained as may be provided by law. Laws may be enacted to
24 [~~The-Legislature-may~~] provide for the taxation of intangible prop-
25 erty and may also impose occupation taxes, both upon natural per-
26 sons and upon corporations, other than municipal, doing any busi-
27 ness in this state [~~State~~]. It may also tax incomes of both nat-

1 ural persons and corporations other than municipal, except that
2 persons engaged in mechanical and agricultural pursuits shall
3 never be required to pay an occupation tax.

4 "(b) Laws shall be enacted to [~~(d)-The-Legislature-by-general~~
5 ~~law-shall~~] exempt from ad valorem taxation household goods not
6 held or used for the production of income and personal effects not
7 held or used for the production of income. Laws may be enacted to
8 ~~[The-Legislature-by-general-law-may]~~ exempt from ad valorem taxa-
9 tion:

10 "(1) all or part of the personal property homestead of a
11 family or single adult, 'personal property homestead' meaning that personal
12 property exempt by law from forced sale for debt; and

13 "(2) subject to Subsection (c) [~~(e)~~] of this Section [~~section~~],
14 all other tangible personal property, except structures which are
15 personal property and are used or occupied as residential dwellings
16 and except property held or used for the production of income.

17 "(c) [~~(e)~~] The governing body of a political subdivision may
18 provide for the taxation of all property exempt under a law adopted
19 under Subdivision (2) of Subsection (b) [~~(d)~~] of this Section [~~section~~]
20 and not exempt from ad valorem taxation by any other law.

21 "(d) [~~;-from-ad-valerem-taxation:-]~~ The occupation tax levied
22 by any county, city or town for any year on persons or corporations
23 pursuing any profession or business, shall not exceed one half of
24 the tax levied by the State for the same period on such profession
25 or business."

26 SECTION 80. That Article VIII, Section 1-b of the Texas Con-
27 stitution be amended by amending subsections (c) and (e) thereof

1 to read as follows:

2 "(c) Five Thousand Dollars (\$5,000) of the market value of the
3 residence homestead of a married or unmarried adult, including one
4 living alone, is exempt from ad valorem taxation for general ele-
5 mentary and secondary public school purposes. In addition to this
6 exemption, laws may be enacted to [~~the-legislature-by-general-law~~
7 ~~may~~] exempt an amount not to exceed [~~Ten-Thousand-Dollars-{} \$10,000~~
8 ~~{}]~~ of the market value of the residence homestead of a person who
9 is disabled as defined in Subsection (b) of this Section [~~section~~] and of
10 a person sixty-five (65) years of age or older from ad valorem taxa-
11 tion for general elementary and secondary public school purposes.
12 Laws may be enacted to [~~The-legislature-by-general-law-may~~] base
13 the amount of and condition eligibility for the additional exemp-
14 tion authorized by this Subsection [~~subsectien~~] for disabled per-
15 sons and for persons sixty-five (65) years of age or older on econ-
16 omic need. An eligible disabled person who is sixty-five (65)
17 years of age or older may not receive both exemptions from a school
18 district but may choose either. An eligible person is entitled to
19 receive both the exemption required by this Subsection [~~subsectien~~]
20 for all residence homesteads and any exemption adopted pursuant to
21 Subsection (b) of this Section [~~seetien~~], but laws shall be enacted
22 to [~~the-legislature-shall~~] provide [~~by-general-law~~] whether an eli-
23 gible disabled or elderly person may receive both the additional
24 exemption for the elderly and disabled authorized by this Subsec-
25 tion [~~subsectien~~] and any exemption for the elderly or disabled
26 adopted pursuant to Subsection (b) of this Section [~~seetien~~].
27 Where ad valorem tax has previously been pledged for the payment of

1 debt, the taxing officers of a school district may continue to levy
2 and collect the tax against the value of homesteads exempted under
3 this Subsection [subseetion] until the debt is discharged if the
4 cessation of the levy would impair the obligation of the contract
5 by which the debt was created. Formulas [The-legislature-shall-
6 provide-for-formulas] to protect school districts against all or
7 part of the revenue loss incurred by the implementation of [Article
8 VIII;] Sections 1-b(c), 1-b(d), and 1-d-1 [;] of this Article may
9 be established by law [constitution]. Laws may be enacted to [The
10 legislature-by-general-law-may] define residence homestead for pur-
11 poses of this Section [seetion].

12 "(e) The governing body of a political subdivision may exempt
13 from ad valorem taxation a percentage of the market value of the
14 residence homestead of a married or unmarried adult, including one
15 living alone. The percentage may not exceed [forty-percent-{} 40% {}]
16 for the years 1982 through 1984, [thirty-percent-{} 30% {}] for the years
17 1985 through 1987, and [twenty-percent-{} 20% {}] in 1988 and each sub-
18 sequent year. However, the amount of an exemption authorized pur-
19 suant to this Subsection [subseetion] may not be less than [Five
20 Thousand-Dollars-{} \$5,000 {}] unless [the-legislature-by-general
21 law-preseribes] other monetary restrictions on the amount of the
22 exemption are prescribed by law. An eligible adult is entitled to
23 receive other applicable exemptions provided by law. Where ad
24 valorem tax has previously been pledged for the payment of debt,
25 the governing body of a political subdivision may continue to levy
26 and collect the tax against the value of the homesteads exempted
27 under this Subsection [subseetion] until the debt is discharged if

1 the cessation of the levy would impair the obligation of the contract
2 by which the debt was created. Laws may be enacted to [~~The-Legisla-~~
3 ~~ture-by-general-law-may~~] prescribe procedures for the administration
4 of residence homestead exemptions."

5 SECTION 81. That Article VIII, Section 1-d-1 of the Texas Con-
6 stitution be amended to read as follows:

7 "Section 1-d-1. (a) To promote the preservation of open-space
8 land, laws shall be enacted to [~~the-legislature-shall~~] provide [by
9 ~~general-law~~] for taxation of open-space land devoted to farm or
10 ranch purposes on the basis of its productive capacity and may pro-
11 vide [~~by-general-law~~] for taxation of open-space land devoted to
12 timber production on the basis of its productive capacity. Laws may
13 be enacted to [~~The-legislature-by-general-law-may~~] provide eligibility
14 limitations under this Section [~~seetien~~] and may impose sanctions
15 in furtherance of the taxation policy of this Section [~~seetien~~].

16 "(b) If a property owner qualifies his land for designation for
17 agricultural use under Section 1-d of this Article [~~artiele~~], the
18 land is subject to the provisions of Section 1-d for the year in
19 which the designation is effective and is not subject to a law
20 enacted under this Section [~~seetien~~] in that year."

21 SECTION 82. That Article VIII, Section 1-f of the Texas Con-
22 stitution be amended to read as follows:

23 "Section 1-f. Laws may be enacted to [~~The-legislature-by-law~~
24 ~~may~~] provide for the preservation of cultural, historical, or
25 natural history resources by:

26 "(1) granting exemptions or other relief from State [~~state~~] ad
27 valorem taxes on appropriate property so designated in the manner

1 prescribed by law; and

2 "(2) authorizing political subdivisions to grant exemptions or
3 other relief from ad valorem taxes on appropriate property so desig-
4 nated by the political subdivision in the manner prescribed by gen-
5 eral law."

6 SECTION 83. That Article VIII, Section 1-g of the Texas Con-
7 stitution be amended to read as follows:

8 "Section 1-g. (a) Laws may be enacted to [The-legislature-by
9 general-law-may] authorize cities, towns, and other taxing units to
10 grant exemptions or other relief from ad valorem taxes on property
11 located in a reinvestment zone for the purpose of encouraging de-
12 velopment or redevelopment and improvement of the property.

13 "(b) Laws may be enacted to [The-legislature-by-general-law
14 may] authorize an incorporated city or town to issue bonds or notes
15 to finance the development or redevelopment of an unproductive,
16 underdeveloped, or blighted area within the city or town and to
17 pledge for repayment of those bonds or notes increases in ad valorem
18 tax revenues imposed on property in the area by the city or town
19 and other political subdivisions."

20 SECTION 84. That Article VIII, Section 1-i of the Texas Con-
21 stitution be amended to read as follows:

22 "Section 1-i. Laws may be enacted to [The-legislature-by
23 general-law-may] provide ad valorem tax relief for mobile marine
24 drilling equipment designated for offshore drilling of oil or gas
25 wells that is being stored while not in use in a county bordering
26 on the Gulf of Mexico or on a bay or other body of water immediately
27 adjacent to the Gulf of Mexico."

1 SECTION 85. That Article VIII, Section 2 of the Texas Consti-
2 tution be amended to read as follows:

3 "Section 2. (a) All occupation taxes shall be equal and uni-
4 form upon the same class of subjects within the limits of the author-
5 ity levying the tax; but laws may be enacted to [~~the legislature~~
6 ~~may;-by-general-laws;~~] exempt from taxation public property used
7 for public purposes; actual places of religious worship, also any
8 property owned by a church or by a strictly religious society for
9 the exclusive use as a dwelling place for the ministry of such
10 church or religious society; and which yields no revenue whatever
11 to such church or religious society; provided that such exemption
12 shall not extend to more property than is reasonably necessary for
13 a dwelling place and in no event more than one acre of land; places
14 of burial not held for private or corporate profit; solar or wind-
15 powered energy devices; all buildings used exclusively and owned
16 by persons or associations of persons for school purposes and the
17 necessary furniture of all schools and property used exclusively
18 and reasonably necessary in conducting any association engaged in
19 promoting the religious, educational and physical development of
20 boys, girls, young men or young women operating under a State or
21 National organization of like character; also the endowment funds
22 of such institutions of learning and religion not used with a view
23 to profit; and when the same are invested in bonds or mortgages,
24 or in land or other property which has been and shall hereafter be
25 bought in by such institutions under foreclosure sales made to
26 satisfy or protect such bonds or mortgages, that such exemption of
27 such land and property shall continue only for two years after the

1 purchase of the same at such sale by such institutions and no
2 longer, and institutions of purely public charity; and all laws
3 exempting property from taxation other than the property mentioned
4 in this Section shall be null and void.

5 "(b) Laws may be enacted to [~~The-Legislature-may;-by-general~~
6 ~~law;~~] exempt property owned by a disabled veteran or by the sur-
7 viving spouse and surviving minor children of a disabled veteran.
8 A disabled veteran is a veteran of the armed services of the United
9 States who is classified as disabled by the Veterans' Administra-
10 tion or by a successor to that agency; or the military service in
11 which he served. A veteran who is certified as having a disability
12 of less than 10% [~~percent~~] is not entitled to an exemption. A
13 veteran having a disability rating of not less than 10% [~~percent~~]
14 nor more than 30% [~~percent~~] may be granted an exemption from taxa-
15 tion for property valued at up to \$1,500. A veteran having a disa-
16 bility rating of more than 30% [~~percent~~] but not more than 50%
17 [~~percent~~] may be granted an exemption from taxation for property
18 valued at up to \$2,000. A veteran having a disability rating of
19 more than 50% [~~percent~~] but not more than 70% [~~percent~~] may be
20 granted an exemption from taxation for property valued at up to
21 \$2,500. A veteran who has a disability rating of more than 70%
22 [~~percent~~], or a veteran who has a disability rating of not less
23 than 10% [~~percent~~] and has attained the age of 65 years, or a dis-
24 abled veteran whose disability consists of the loss [~~or-less~~] of
25 one or more limbs, total blindness in one or both eyes, or para-
26 plegia, may be granted an exemption from taxation for property
27 valued at up to \$3,000. The spouse and children of any member of

1 the United States Armed Forces who loses his life while on active
2 duty will be granted an exemption from taxation for property valued
3 at up to \$2,500. A deceased disabled veteran's surviving spouse
4 and children may be granted an exemption which in the aggregate is
5 equal to the exemption to which the decedent was entitled at the
6 time he died."

7 SECTION 86. That Article VIII, Section 4 of the Texas Consti-
8 tution be amended to read as follows:

9 "Section 4. The power to tax corporations and corporate prop-
10 erty shall not be surrendered or suspended by law [~~aet-of-the-Legis-~~
11 ~~lature;~~] by any contract or grant to which the State shall be a
12 party."

13 SECTION 87. That Article VIII, Section 7-a of the Texas Con-
14 stitution be amended to read as follows:

15 "Section 7-a. Subject to legislative appropriation, alloca-
16 tion and direction, all net revenues remaining after payment of all
17 refunds allowed by law and expenses of collection derived from motor
18 vehicle registration fees, and all taxes, except gross production
19 and ad valorem taxes, on motor fuels and lubricants used to propel
20 motor vehicles over public roadways, shall be used for the sole
21 purpose of acquiring rights-of-way, constructing, maintaining, and
22 policing such public roadways, and for the administration of such
23 laws as may be prescribed by law [~~the-Legislature~~] pertaining to
24 the supervision of traffic and safety on such roads; and for the
25 payment of the principal and interest on county and road district
26 bonds or warrants voted or issued prior to January 2, 1939, and
27 declared eligible prior to January 2, 1945, for payment out of the

1 County and Road District Highway Fund under existing law; provided,
2 however, that one-fourth (1/4) of such net revenue from the motor
3 fuel tax shall be allocated to the Available School Fund; and,
4 provided, however, that the net revenue derived by counties from
5 motor vehicle registration fees shall never be less than the maxi-
6 mum amounts allowed to be retained by each County and the percen-
7 tage allowed to be retained by each County under the laws in effect
8 on January 1, 1945. Nothing contained herein shall be construed as
9 authorizing the pledging of the State's credit for any purpose."

10 SECTION 88. That Article VIII, Section 9 of the Texas Consti-
11 tution be amended to read as follows:

12 "Section 9. The State tax on property, exclusive of the tax
13 necessary to pay the public debt, and of the taxes provided for the
14 benefit of the public free schools, shall never exceed [Thirty-five
15 Cents-{} 35¢ {}] on the [One-Hundred-Dollars-{} \$100 {}] valuation;
16 and no county, city or town shall levy a tax rate in excess of
17 [Eighty-Cents-{} 80¢ {}] on the [One-Hundred-Dollars-{} \$100 {}]
18 valuation in any one [{}1{}] year for general fund, permanent improve-
19 ment fund, road and bridge fund and jury fund purposes; provided
20 further that at the time the Commissioners Court of a particular
21 county meets to levy the annual tax rate for that [each] county,
22 it shall levy whatever tax rate may be needed for the four [{}4{}]
23 constitutional purposes; namely: [;] general fund, permanent im-
24 provement fund, road and bridge fund and jury fund so long as the
25 Commissioners Court does not impair any outstanding bonds or other
26 obligations and so long as the total of the foregoing tax levies
27 does not exceed [Eighty-Cents-{} 80¢ {}] on the [One-Hundred-Dollars

1 {} \$100 {} valuation in any one [{}]] year. Once the Commissioners
2 Court has levied the annual tax rate, the same shall remain in
3 force and effect during that taxable year; and laws may be enacted
4 to [the-Legislature-may-also] authorize an additional annual ad
5 valorem tax to be levied and collected for the further maintenance
6 of the public roads; provided, that a majority of the qualified
7 property taxpaying electors [voters] of the county voting at an
8 election to be held for that purpose shall vote such tax, not to
9 exceed [Fifteen-Cents-{} 15¢ {}] on the [One-Hundred-Dollars-{}
10 \$100 {}] valuation of the property subject to taxation in such
11 county. Any county may put all tax money collected by the county
12 into one general fund, without regard to the purpose or source of
13 each tax. And the Legislature may pass local laws for the mainten-
14 ance of the public roads and highways, without the local notice re-
15 quired for special or local laws. This Section shall not be con-
16 strued as a limitation of powers delegated to counties, cities or
17 towns by any other section or sections [Seetien-er-Seetiens] of this
18 Constitution."

19 SECTION 89. That Article VIII, Section 14 of the Texas Con-
20 stitution be amended to read as follows:

21 "Section 14. Except as provided in Section 16 of this Article,
22 there shall be elected by the qualified electors [voters] of each
23 county, an Assessor and Collector of Taxes, who shall hold [his]
24 office for four years and until his successor is elected and quali-
25 fied; and such Assessor and Collector of Taxes shall perform all
26 the duties with respect to assessing property for the purpose of
27 taxation and of collecting taxes, as may be prescribed by law [the

Legislature]."

SECTION 90. That Article VIII, Section 15 of the Texas Constitution be amended to read as follows:

"Section 15. The annual assessment made upon landed property shall be a special lien thereon; and all property, both real and personal, belonging to any delinquent taxpayer shall be liable to seizure and sale for the payment of all the taxes and penalties due by such delinquent; and such property may be sold for the payment of the taxes and penalties due by such delinquent, under such regulations as may be provided by law [the-Legislature-may-provide]."

SECTION 91. That Article VIII, Section 17 of the Texas Constitution be amended to read as follows:

"Section 17. The specification of the objects and subjects of taxation shall not deprive the laws of this State [Legislature] of the power to require other subjects or objects to be taxed in such manner as may be consistent with the principles of taxation fixed in this Constitution."

SECTION 92. That Article VIII, Section 18 of the Texas Constitution be amended to read as follows:

"Section 18. (a) Laws shall be enacted to [The-Legislature shall] provide for equalizing, as near as may be, the valuation of all property subject to or rendered for taxation, and may also provide for the classification of all lands with reference to their value in the several counties.

"(b) A single appraisal within each county of all property subject to ad valorem taxation by the county and all other taxing units located therein shall be provided by general law. Laws may be

1 enacted to [~~The-Legislature;-by-general-law;-may~~] authorize appraisals
2 outside a county when political subdivisions are situated in more
3 than one county or when two or more counties elect to consolidate
4 appraisal services.

5 "(c) Laws shall be enacted to [~~The-Legislature;-by-general-law;~~
6 ~~shall~~] provide for a single board of equalization for each appraisal
7 entity consisting of qualified persons residing within the territory
8 appraised by that entity. Members of the board of equalization may
9 not be elected officials of the county or of the governing board of
10 a taxing unit.

11 "(d) Laws shall be enacted to [~~The-Legislature-shall~~] prescribe
12 [~~by-general-law~~] the methods, timing, and administrative process for
13 implementing the requirements of this Section [~~section~~]."

14 SECTION 93. That Article VIII, Section 20 of the Texas Consti-
15 tution be amended to read as follows:

16 "Section 20. No property of any kind in this State shall ever
17 be assessed for ad valorem taxes at a greater value than its fair
18 cash market value nor shall any Board of Equalization of any govern-
19 mental or political subdivision or taxing district within this State
20 fix the value of any property for tax purposes at more than its fair
21 cash market value; provided that in order to encourage the prompt
22 payment of taxes, laws may be enacted to [~~the-Legislature-shall-have~~
23 ~~the-power-to~~] provide that the taxpayer shall be allowed by the State
24 and all governmental and political subdivisions and taxing districts
25 of the State a [~~three-per-cent-{} 3% {}~~] discount on ad valorem
26 taxes due the State or due any governmental or political subdivision
27 or taxing district of the State if such taxes are paid [~~ninety-{} 90~~]

1 [~~}]~~] days before the date when they would otherwise become delin-
2 quent; and the taxpayer shall be allowed a [~~two-per-cent-~~~~{}~~] 2% [~~}]~~]
3 discount on said taxes if paid [~~sixty-~~~~{}~~] 60 [~~}]~~] days before said
4 taxes would become delinquent; and the taxpayer shall be allowed
5 a [~~one-per-cent-~~~~{}~~] 1% [~~}]~~] discount if said taxes are paid [~~thirty~~
6 ~~{}~~] 30 [~~}]~~] days before they would otherwise become delinquent.

7 [~~This-amendment-shall-be-effective-January-1,-1939:-~~] Laws shall
8 be enacted [~~The-Legislature-shall-pass-neeessary-laws~~] for the
9 proper administration of this Section."

10 SECTION 94. That Article VIII, Section 21 of the Texas Con-
11 stitution be amended by amending subsections (a) and (c) thereof
12 to read as follows:

13 "(a) Subject to any exceptions prescribed by general law, the
14 total amount of property taxes imposed by a political subdivision
15 in any year may not exceed the total amount of property taxes im-
16 posed by that subdivision in the preceding year unless the govern-
17 ing body of the subdivision gives notice of its intent to consider
18 an increase in taxes and holds a public hearing on the proposed in-
19 crease before it increases those total taxes. Laws shall be enac-
20 ted to prescribe [~~The-legislature-shall-preseribe-by-law~~] the form,
21 content, timing, and methods of giving the notice and the rules for
22 the conduct of the hearing.

23 "(c) Laws shall be enacted to [~~The-legislature-by-general-law~~
24 ~~shall~~] require that, subject to reasonable exceptions, a property
25 owner be given notice of a revaluation of his property and a
26 reasonable estimate of the amount of taxes that would be imposed
27 on his property if the total amount of property taxes for the

1 subdivision were not increased according to any law enacted pursuant
2 to Subsection (a) of this Section [~~section~~]. The notice must be
3 given before the procedures required in Subsection (a) are institu-
4 ted."

5 SECTION 95. That Article VIII, Section 22 of the Texas Con-
6 stitution be amended by amending subsection (a) thereof to read as
7 follows:

8 "(a) In no biennium shall the rate of growth of appropriations
9 from State [~~state~~] tax revenues not dedicated by this Constitution
10 [~~constitution~~] exceed the estimated rate of growth of the state's
11 economy. Laws shall be enacted to [~~The-legislature-shall~~] provide
12 [~~by-general-law~~] procedures to implement this Subsection [~~subsec-~~
13 ~~tion~~]."

14 SECTION 96. That Article VIII, Section 23 of the Texas Con-
15 stitution be amended by amending subsection (b) thereof to read as
16 follows:

17 "(b) Administrative and judicial enforcement of uniform stan-
18 dards and procedures for appraisal of property for ad valorem tax
19 purposes, as prescribed by general law, shall originate in the
20 county where the tax is imposed, except that laws may be enacted
21 to provide [~~the-legislature-may-provide-by-general-law~~] for poli-
22 tical subdivisions with boundaries extending outside the county."

23 SECTION 97. That Article IX, Section 1-A of the Texas Consti-
24 tution be amended to read as follows:

25 "Section 1-A. (a) Laws may be enacted to [~~The-Legislature-may~~]
26 authorize the governing body of any county bordering on the Gulf of
27 Mexico or the tidewater limits thereof to regulate and restrict the

1 speed, parking and travel of motor vehicles on beaches available to
2 the public by virtue of public right and the littering of such
3 beaches.

4 "(b) Nothing in this Section [Amendment] shall increase the
5 rights of any riparian or littoral landowner with regard to beaches
6 available to the public by virtue of public right or submerged lands.

7 "(c) Laws may be enacted, not inconsistent with this Constitution,
8 [The-Legislature-may-enaet-any-laws-not-incensistent-with-this-Section
9 whieh-it-may-deem-neeessary] to permit said counties to implement,
10 enforce and administer the provisions hereof [contained-herein].

11 "(d) Enabling laws may be enacted to give effect to this Section
12 [Should-the-Legislature-enaet-legislation-in-antieipation-of-the
13 adoption-of-this-amendment;-such-legislation-shall-not-be-invalid-by
14 reason-of-its-antieipatory-character]."

15 SECTION 98. That Article IX, Section 2 of the Texas Constitu-
16 tion be amended to read as follows:

17 "Section 2. Laws shall be enacted [The-Legislature-shall-pass
18 laws] regulating the manner of removing county seats, but no county
19 seat situated within five miles of the geographical center [centre]
20 of the county shall be removed, except by a vote of two-thirds of
21 all the qualified electors voting on the subject. A majority of
22 such qualified electors, however, voting at such election, may re-
23 move a county seat from a point more than five miles from the geo-
24 graphical center [centre] of the county to a point within five miles
25 of such center [centre], in either case the center [centre] to be
26 determined by a certificate from the Commissioner of the General
27 Land Office."

SECTION 99. That Article IX, Section 4 of the Texas Constitution be amended to read as follows:

"Section 4. Laws may be enacted to [~~The-Legislature-may-by law~~] authorize the creation of county-wide Hospital Districts in counties having a population in excess of 190,000 and in Galveston County, with power to issue bonds for the purchase, acquisition, construction, maintenance and operation of any county-owned [~~county owned~~] hospital, or where the hospital system is jointly operated by a county and city within the county, and to provide for the transfer to the county-wide Hospital District of the title to any land, buildings or equipment, jointly or separately owned, and for the assumption by the district of any outstanding bonded indebtedness theretofore issued by any county or city for the establishment of hospitals or hospital facilities; to levy a tax not to exceed [~~seventy-five-(\$-) 75¢ (-)cents~~] on the [~~One-Hundred-(\$-) \$100.00 (-)Dollars~~] valuation of all taxable property within such district; [~~;~~] provided, however, that such district shall be approved at an election held for that purpose, and that only qualified, property taxpaying electors [~~voters~~] in such county shall vote therein; provided further, that such Hospital District shall assume full responsibility for providing medical and hospital care to needy inhabitants of the county, and thereafter such county and cities therein shall not levy any other tax for hospital purposes; and provided further that should such Hospital District construct, maintain and support a hospital or hospital system, that the same shall never become a charge against the State of Texas, nor shall any direct appropriation ever be made by the Legislature for the construction, main-

1 tenance or improvement of the said hospital or hospitals. Enabling
2 laws may be enacted to give effect to this Section [Should-the
3 Legislature-enact-enabling-laws-in-anticipation-of-the-adoption-of
4 this-amendment,-such-Acts-shall-not-be-invalid-because-of-their
5 anticipatory-character]."

6 SECTION 100. That Article IX, Section 5 of the Texas Constitu-
7 tion be amended to read as follows:

8 "Section 5. (a) (1) Laws may be enacted to [The-Legislature
9 may-by-law] authorize the creation of two hospital districts, one
10 to be coextensive with and have the same boundaries as the incor-
11 porated City of Amarillo, as such boundaries now exist or as they
12 may hereafter be lawfully extended, and the other to be coextensive
13 with Wichita County.

14 "(2) If such district or districts are created, they may be
15 authorized to levy a tax not to exceed [Seventy-five-Cents-{} 75¢
16 {}] on the [One-Hundred-Dollars-{} \$100.00 {}] valuation of taxable
17 property within the district; provided, however, no tax may be
18 levied until approved by a majority vote of the participating resi-
19 dent qualified property taxpaying electors [voters] who have duly
20 rendered their property for taxation. The maximum rate of tax may
21 be changed at subsequent elections so long as obligations are not
22 impaired, and not to exceed the maximum limit of [Seventy-five
23 Cents-{} 75¢ {}] per [One-Hundred-Dollars-{} \$100.00 {}] valuation,
24 and no election shall be required by subsequent changes in the
25 boundaries of the City of Amarillo.

26 "(3) If such tax is authorized, no political subdivision or
27 municipality within or having the same boundaries as the district

1 may levy a tax for medical or hospital care for needy individuals,
2 nor shall they maintain or erect hospital facilities, but the
3 district shall by resolution assume all such responsibilities and
4 shall assume all of the liabilities and obligations (including
5 bonds and warrants) of such subdivisions or municipalities or
6 both. The maximum tax rate submitted shall be sufficient to dis-
7 charge such obligations, liabilities, and responsibilities, and
8 to maintain and operate the hospital system, and laws may be enac-
9 ted to [~~the-Legislature-may~~] authorize the district to issue tax
10 bonds for the purpose of the purchase, construction, acquisition,
11 repair or renovation of improvements and initially equipping the
12 same, and such bonds shall be payable from said [Seventy-five
13 Cents-{} 75¢ {}] tax. Laws shall be enacted to [The-Legislature
14 shall] provide for transfer of title to properties to the district.

15 "(b) Laws may be enacted to [The-Legislature-may-by-law] permit
16 the County of Potter (in which the City of Amarillo is partially
17 located) to render financial aid to that district by paying a part
18 of the expenses of operating and maintaining the system and paying
19 a part of the debts of the district (whether assumed or created by
20 the district) and may authorize the levy of a tax not to exceed
21 [Ten-Cents-{} 10¢ {}] per [One-Hundred-Dollars-{} \$100.00 {}] valu-
22 ation (in addition to other taxes permitted by this Constitution)
23 upon all property within the county but without the City of Amarillo
24 at the time such levy is made for such purposes. If such tax is
25 authorized, the district shall by resolution assume the responsibil-
26 ities, obligations, and liabilities of the county in the manner and
27 to the extent hereinabove provided for political subdivisions having

1 boundaries coextensive with the district, and the county shall not
2 thereafter levy taxes (other than herein provided) for hospital
3 purposes nor for providing hospital care for needy individuals of
4 the county.

5 "(c) (1) Laws may be enacted to [~~The-Legislature-may-by-law~~]
6 authorize the creation of a hospital district within Jefferson
7 County, the boundaries of which shall include only the area com-
8 prising Jefferson County Drainage District No. 7 and the Port
9 Arthur Independent School District, as such boundaries existed on
10 [~~the-first-day-of~~] January 1, 1957, with the power to issue bonds
11 for the sole purpose of purchasing a site for, and the construc-
12 tion and initial equipping of, a hospital system, and with the
13 power to levy a tax of not to exceed [~~Seventy-five-Cents-{} 75¢~~
14 [~~{}]~~] on the [~~One-Hundred-Dollars-{} \$100.00 {}]~~] valuation of prop-
15 erty therein for the purpose of paying the principal and interest
16 on such bonds.

17 "(2) The creation of such hospital district shall not be final
18 until approved at an election by a majority of the resident prop-
19 erty taxpaying qualified electors [~~voters~~] voting at said election
20 who have duly rendered their property for taxation upon the tax
21 rolls of either said Drainage district or said School district
22 [~~District~~], nor shall such bonds be issued or such tax be levied
23 until so approved by such electors [~~voters~~].

24 "(3) The district shall not have the power to levy any tax for
25 maintenance or operation of the hospital or facilities, but shall
26 contract with other political subdivisions of the State [~~state~~] or
27 private individuals, associations, or corporations for such pur-

1 poses.

2 "(4) If the district hereinabove authorized is finally created,
3 no other hospital district may be created embracing any part of the
4 territory within its boundaries, but laws may be enacted to [the
5 ~~Legislature-by-law-may~~] authorize the creation of a hospital district
6 incorporating therein the remainder of Jefferson County, having the
7 powers and duties and with the limitations presently provided by
8 [Article-IX;] Section 4 of this Article [~~;-of-the-Constitution-of~~
9 Texas], except that such district shall be confirmed at an election
10 wherein the resident qualified property taxpaying electors [~~voters~~]
11 who have duly rendered their property within such proposed district
12 for taxation on the county rolls, shall be authorized to vote. A
13 majority of those participating in the election voting in favor of
14 the district shall be necessary for its confirmation and for bonds
15 to be issued.

16 "~~[{d})-Should-the-Legislature-enact-enabling-laws-in-anticipa-~~
17 ~~tion-of-the-adoption-of-this-amendment;-such-Acts-shall-not-be~~
18 ~~invalid-because-of-their-anticipatory-character:]~~

19 "(d) [{e}] Laws may be enacted to [The-legislature-by-law-may]
20 authorize Randall County to render financial assistance to the
21 Amarillo Hospital District by paying part of the district's oper-
22 ating and maintenance expenses and the debts assumed or created by
23 the district and to levy a tax for that purpose in an amount not
24 to exceed [~~seventy-five-cents-{} 75¢ {}~~] on the [~~One-Hundred~~
25 ~~Dollars-{} \$100.00 {}~~] valuation on all property in Randall County
26 that is not within the boundaries of the City of Amarillo or the
27 South Randall County Hospital District. This tax is in addition

1 to any other tax authorized by this Constitution [constitution].
2 If the tax is authorized by law [the-legislature] and approved by
3 the electors [voters] of the area to be taxed, the Amarillo Hospi-
4 tal District shall, by resolution, assume the responsibilities,
5 obligations, and liabilities of Randall County in accordance with
6 Subsection (a) of this Section [section] and, except as provided
7 by this Subsection [subsection], Randall County may not levy taxes
8 or issue bonds for hospital purposes or for providing hospital
9 care for needy inhabitants of the county. Not later than the end
10 of the first tax year during which taxes are levied under this
11 Subsection [subsection], Randall County shall deposit in the State
12 Treasury to the credit of the State [state] General Revenue Fund
13 \$45,000 to reimburse the State [state] for the cost of publishing
14 the resolution required herein [by-this-subsection].

15 "(e) [{f}] Notwithstanding other [the] provisions of this
16 Article [IX-of-this-constitution], if a hospital district was cre-
17 ated or authorized under a [constitutional] provision of this Con-
18 stitution that includes a description of the district's boundaries
19 or jurisdiction, then laws may be enacted to [the-legislature-by
20 law-may] authorize the district to change its boundaries or juris-
21 diction. The change must be approved by a majority of the quali-
22 fied electors [voters] of the district voting at an election
23 called and held for that purpose.

24 "(f) Laws may be enacted to give effect to this Section."

25 SECTION 101. That Article IX, Section 7 of the Texas Consti-
26 tution be amended to read as follows:

27 "Section 7. Laws may be enacted to [The-Legislature-may-by

1 law] authorize the creation of a Hospital District co-extensive
2 with Hidalgo County, having the powers and duties and with the
3 limitations presently provided in [Article XI;] Section 5(a) of
4 this Article [~~;-of-the-Constitution-of-Texas~~], as it applies to
5 Hidalgo County, except that the maximum rate of tax that said
6 Hidalgo County Hospital District may be authorized to levy shall
7 be [~~ten-cents-{} 10¢ {}~~] per [~~One-Hundred-Dollars-{} \$100 {}~~]
8 valuation of taxable property within the District subject to direct
9 taxation."

10 SECTION 102. That Article IX, Section 8 of the Texas Consti-
11 tution be amended to read as follows:

12 "Section 8. (a) (1) Laws may be enacted to [~~The-Legislature~~
13 ~~may-by-law~~] authorize the creation of a Hospital District to be
14 co-extensive with the limits of County Commissioners Precinct No.
15 4 of Comanche County [~~;-Texas~~].

16 "(2) If such District is created, it may be authorized to levy
17 a tax not to exceed [~~seventy-five-cents-{} 75¢ {}~~] on the [~~One~~
18 ~~Hundred-Dollar-{} \$100 {}~~] valuation of taxable property within the
19 District; provided, however, no tax may be levied until approved by
20 a majority vote of the participating resident qualified property
21 taxpaying electors [~~voters~~] who have duly rendered their property
22 for taxation. The maximum rate of tax may be changed at subsequent
23 elections so long as obligations are not impaired, and not to exceed
24 the maximum limit of [~~seventy-five-cents-{} 75¢ {}~~] per [~~One-Hundred~~
25 ~~Dollar-{} \$100 {}~~] valuation, and no election shall be required by
26 subsequent changes in the boundaries of the Commissioners Precinct
27 No. 4 of Comanche County.

1 "(3) If such tax is authorized, no political subdivision or
2 municipality within or having the same boundaries as the District
3 may levy a tax for medical or hospital care for needy individuals,
4 nor shall they maintain or erect hospital facilities, but the
5 District shall by resolution assume all such responsibilities and
6 shall assume all of the liabilities and obligations (including
7 bonds and warrants) of such subdivisions or municipalities or both.
8 The maximum tax rate submitted shall be sufficient to discharge
9 such obligations, liabilities, and responsibilities, and to main-
10 tain and operate the hospital system, and laws may be enacted to
11 ~~[the-Legislature-may]~~ authorize the District to issue tax bonds for
12 the purpose of the purchase, construction, acquisition, repair or
13 renovation of improvements and initially equipping the same, and
14 such bonds shall be payable from said ~~[seventy-five-cent-{}]~~ 75¢ ~~[{}]~~ tax.
15 Laws shall also be enacted to ~~[The-Legislature-shall]~~ provide for
16 transfer of title to properties to the District.

17 "(b) Laws may be enacted to ~~[The-Legislature-may-by-law]~~ per-
18 mit the County of Comanche to render financial aid to that District
19 by paying a part of the expenses of operating and maintaining the
20 system and paying a part of the debts of the District (whether
21 assumed or created by the District) and may authorize the levy of a
22 tax not to exceed ~~[ten-cents-{}]~~ 10¢ ~~[{}]~~ per ~~[One-Hundred-Dollar-{}]~~
23 \$100 ~~[{}]~~ valuation (in addition to other taxes permitted by this
24 Constitution) upon all property within the County but without the
25 County Commissioners Precinct No. 4 of Comanche County at the time
26 such levy is made for such purposes. If such tax is authorized,
27 the District shall by resolution assume the responsibilities, obli-

gations, and liabilities of the County in the manner and to the extent hereinabove provided for political subdivisions having boundaries co-extensive with the District, and the County shall not thereafter levy taxes (other than herein provided) for hospital purposes nor for providing hospital care for needy individuals of the County.

"(c) Enabling laws may be enacted to give effect to this Section [~~Should-the-Legislature-enact-enabling-laws-in-anticipation-of-the-adoption-of-this-amendment;-such-Acts-shall-not-be invalid-because-of-their-anticipatory-character~~]."

SECTION 103. That Article IX, Section 9 of the Texas Constitution be amended to read as follows:

"Section 9. (a) Laws may be enacted to [~~The-Legislature-may by-law~~] provide for the creation, establishment, maintenance and operation of hospital districts composed of one or more counties or all or any part of one or more counties with power to issue bonds for the purchase, construction, acquisition, repair or renovation of buildings and improvements and equipping same, for hospital purposes; providing for the transfer to the hospital district of the title to any land, buildings, improvements and equipment located wholly within the district which may be jointly or separately owned by any city, town or county, providing that any district so created shall assume full responsibility for providing medical and hospital care for its needy inhabitants and assume the outstanding indebtedness incurred by cities, towns and counties for hospital purposes prior to the creation of the district, if same are located wholly within its boundaries, and a pro rata portion of

1 such indebtedness based upon the then last approved tax assessment
2 rolls of the included cities, towns and counties if less than all
3 the territory thereof is included within the district boundaries;
4 providing that after its creation no other municipality or poli-
5 tical subdivision shall have the power to levy taxes or issue bonds
6 or other obligations for hospital purposes or for providing medical
7 care within the boundaries of the district; providing for the levy
8 of annual taxes at a rate not to exceed [seventy-five-cents-{} 75¢
9 {}] on the \$100 [One-Hundred-Dollar] valuation of all taxable prop-
10 erty within such district for the purpose of meeting the require-
11 ments of the district's bonds, the indebtedness assumed by it and
12 its maintenance and operating expenses, providing that such dis-
13 trict shall not be created or such tax authorized unless approved
14 by a majority of the qualified property taxpaying electors thereof
15 voting at an election called for the purpose; and providing further
16 that the support and maintenance of the district's hospital system
17 shall never become a charge against or obligation of the State of
18 Texas nor shall any direct appropriation be made by the Legislature
19 for the construction, maintenance or improvement of any of the
20 facilities of such district.

21 "(b) Provided, however, that no district shall be created
22 except by law [act-of-the-Legislature] and then only after [thirty-{}
23 30 {}] days' public notice to the district affected, and in no event
24 may the law [Legislature] provide for a district to be created
25 without the affirmative vote of a majority of the taxpaying electors
26 [voters] in the district concerned.

27 "(c) Laws may also be enacted to [The-Legislature-may-also]

1 provide for the dissolution of hospital districts provided that a
2 process is afforded by statute for:

3 "(1) determining the desire of a majority of the qualified
4 electors [voters] within the district to dissolve it;

5 "(2) disposing of or transferring the assets, if any, of the
6 district; and

7 "(3) satisfying the debts and bond obligations, if any, of
8 the district, in such manner as to protect the interests of the
9 citizens within the district, including their collective property
10 rights in the assets and property of the district; [;] provided,
11 however, that any grant from federal funds, however dispensed,
12 shall be considered an obligation to be repaid in satisfaction and
13 provided that no election to dissolve shall be held more often than
14 once each year. In such connection, the statute shall provide
15 against disposal or transfer of the assets of the district except
16 for due compensation unless such assets are transferred to another
17 governmental agency, such as a county, embracing such district and
18 using such transferred assets in such a way as to benefit citizens
19 formerly within the district."

20 SECTION 104. That Article IX, Section 9A of the Texas Consti-
21 tution be amended to read as follows:

22 "Section 9A. Laws may be enacted to [~~The-legislature-by-law~~
23 ~~may~~] determine the health care services a hospital district is re-
24 quired to provide; the requirements a resident must meet to qualify
25 for services, and any other relevant provisions necessary to regu-
26 late the provision of health care to residents."

27 SECTION 105. That Article IX, Section 11 of the Texas Consti-

1 tution be amended to read as follows:

2 "Section 11. (a) Laws may be enacted to [~~The-Legislature-may~~
3 ~~by-law~~] authorize the creation of hospital districts in Ochiltree,
4 Castro, Hansford and Hopkins Counties, each district to be coex-
5 tensive with the limits of such county.

6 "(b) If any such district is created, it may be authorized to
7 levy a tax not to exceed [~~Seventy-five-Cents-{} 75¢ {}~~] on the [~~One~~
8 ~~Hundred-Dollar-{} \$100 {}~~] valuation of taxable property within the
9 district; provided, however, that no tax may be levied until approved
10 by a majority vote of the participating resident qualified property-
11 taxpaying electors [~~voters~~] who have duly rendered their property
12 for taxation. The maximum rate of tax may be changed at subsequent
13 elections so long as obligations are not impaired, and not to exceed
14 the maximum limit of [~~Seventy-five-Cents-{} 75¢ {}~~] per [~~One-Hundred~~
15 ~~Dollar-{} \$100 {}~~] valuation.

16 "(c) If such tax is authorized, no political subdivision or
17 municipality within or having the same boundaries as the district
18 may levy a tax for medical or hospital care for needy individuals,
19 nor shall they maintain or erect hospital facilities, but the dis-
20 trict shall by resolution assume all such responsibilities and
21 shall assume all of the liabilities and obligations (including
22 bonds and warrants) of such subdivisions or municipalities or both.
23 The maximum tax rate submitted shall be sufficient to discharge
24 obligations, liabilities, and responsibilities, and to maintain and
25 operate the hospital system, and laws may be enacted to [~~the-Legis-~~
26 ~~lature-may~~] authorize the district to issue tax bonds for the pur-
27 pose of the purchase, construction, acquisition, repair or renova-

tion of improvements and initially equipping the same, and such bonds shall be payable from said ~~[Seventy-five-Cent-{}]~~ 75¢ ~~[{}]~~ tax. The laws ~~[Legislature]~~ shall provide for transfer of title to properties to the district.

"(d) Enabling laws may be enacted to give effect to this Section ~~[Should-the-Legislature-enact-enabling-laws-in-anticipation of-the-adoption-of-the-amendment;-such-Aets-shall-not-be-invalid because-of-their-anticipatory-character]."~~

SECTION 106. That Article IX, Section 12 of the Texas Constitution be amended to read as follows:

"Section 12. (a) Laws may be enacted to ~~[The-Legislature-may by-law]~~ provide for the creation, establishment, maintenance and operation of Airport Authorities composed of one or more counties, with power to issue general obligation bonds, revenue bonds, either or both of them, for the purchase, acquisition by the exercise of the power of eminent domain or otherwise, construction, reconstruction, repair or renovation of any airport or airports, landing fields and runways, airport buildings, hangars, facilities, equipment, fixtures, and any and all property, real or personal, necessary to operate, equip and maintain an airport. Such laws ~~[;]~~ shall provide for the option by the governing body of the city or cities whose airport facilities are served by certified airlines and whose facility or some interest therein, is proposed to be or has been acquired by the Authority, to either appoint or elect a Board of Directors of said Authority. If ~~[;-if]~~ the Directors are appointed such appointment shall be made by the County Commissioners Court after consultation with and consent of the governing body or

bodies of such city or cities, and if the Board of Directors is elected they shall be elected by the qualified taxpaying electors [~~voters~~] of the county which chooses to elect the Directors to represent that county, such Directors shall serve without compensation for a term to be fixed by law [~~the-Legislature~~] not to exceed six (6) years, and shall be selected on the basis of the proportionate population of each county based upon the last preceding Federal Census, and shall be a resident or residents of such county; and [~~provide-that~~] no county shall have less than one (1) member on the Board of Directors. Such law shall [~~;~~] provide for the holding of an election in each county proposing the creation of an Authority to be called by the Commissioners Court or Commissioners Courts, as the case may be, upon petition of [~~five-per-cent-{} 5% {}~~] of the qualified taxpaying electors [~~voters~~] within the county or counties, said elections to be held on the same day if more than one county is included, provided that no more than one (1) such election may be called in a county until after the expiration of one (1) year.

"(b) In [~~;-in~~] the event such an election has failed, and thereafter only upon a petition of [~~ten-per-cent-{} 10% {}~~] of the qualified taxpaying electors [~~voters~~] being presented to the Commissioners Court or Commissioners Courts of the county or counties in which such an election has failed, and in the event that two or more counties vote on the proposition of the creation of an Authority therein, the proposition shall not be deemed to carry unless the majority of the qualified taxpaying electors [~~voters~~] in each county voting thereon vote in favor thereof; provided,

1 however, that an Airport Authority may be created and be composed
2 of the county or counties that vote in favor of its creation if
3 separate propositions are submitted to the electors [~~voters~~] of
4 each county so that they may vote for a two-or-more [~~two-er-more~~]
5 county Authority or a single county Authority. Provision shall be
6 made for [~~;-provide-for~~] the appointment by the Board of Directors
7 of an Assessor and Collector of taxes [Taxes] in the Authority; [~~;~~]
8 whether constituted of one or more counties whose duty it shall be
9 to assess all taxable property, both real and personal, and collect
10 the taxes thereon, based upon the tax rolls approved by the Board
11 of Directors, the tax to be levied not to exceed [Seventy-Five
12 Cents-{} 75¢ {}] per [One-Hundred-Dollars-{} \$100 {}] assessed val-
13 uation of the property; [~~;~~] provided, however, that the property of
14 state-regulated [~~state-regulated~~] common carriers required by law
15 to pay a tax upon intangible assets shall not be subject to taxa-
16 tion by the Authority, said taxable property shall be assessed on a
17 valuation not to exceed the market value and shall be equal and
18 uniform throughout the Authority as is otherwise provided by this
19 [~~the~~] Constitution. Laws shall be enacted to [~~;-the-Legislature~~
20 ~~shall~~] authorize the purchase or acquisition by the Authority of
21 any existing airport facility publicly owned and financed and
22 served by certificated airlines, in fee or of any interest therein,
23 or to enter into any lease agreement therefor, upon such terms and
24 conditions as may be mutually agreeable to the Authority and the
25 owner of such facilities, or authorize the acquisition of same
26 through the exercise of the power of eminent domain, and in the
27 event of such acquisition, if there are any general obligation

1 bonds that the owner of the publicly-owned [~~publicly-owned~~] airport facility
2 has outstanding, the same shall be fully assumed by the Authority and
3 sufficient taxes levied by the Authority to discharge said out-
4 standing indebtedness.

5 "(c) Likewise, [~~;-and-likewise~~] any city or owner that has
6 outstanding revenue bonds where the revenues of the airport have
7 been pledged or said bonds constitute a lien against the airport
8 facilities, the Authority shall assume and discharge all the obli-
9 gations of the city under the ordinances and bond indentures under
10 which said revenue bonds have been issued and sold.

11 "(d) Any city which owns airport facilities not serving certi-
12 ficated airlines which are not purchased or acquired or taken over
13 as herein provided by such Authority, shall have the power to oper-
14 ate the same under the existing laws or as the same may hereafter
15 be amended.

16 "(e) Any such Authority when created may be granted the power
17 and authority to promulgate, adopt and enforce appropriate zoning
18 regulations to protect the airport from hazards and obstructions
19 which would interfere with the use of the airport and its facil-
20 ities for landing and take-off. An [~~;-an~~] additional county or
21 counties may be added to an existing Authority if a petition of
22 [~~five-per-cent-{} 5% {}~~] of the qualified taxpaying electors
23 [~~voters~~] is filed with and an election is called by the Commission-
24 ers Court of the county or counties seeking admission to an Author-
25 ity and the vote is favorable, then admission may be granted to
26 such county or counties by the Board of Directors of the then exis-
27 ting Authority upon such terms and conditions as they may agree

1 upon and evidenced by a resolution approved by two-thirds (2/3)
2 [{2/3rds}] of the then existing Board of Directors; [;] provided,
3 however, the county or counties that may be so added to the then
4 existing Authority shall be given representation on the Board of
5 Directors by adding additional directors in proportion to their
6 population according to the last preceding Federal census."

7 SECTION 107. That Article IX, Section 13 of the Texas Consti-
8 tution be amended to read as follows:

9 "Section 13. Notwithstanding any other section of this Article
10 [artiele], the laws enacted to provide [Legislature-in-providing]
11 for the creation, establishment, maintenance and operation of a
12 hospital district, shall not be required to provide that such dis-
13 trict [shall] assume full responsibility for the establishment,
14 maintenance, support, or operation of mental health services or
15 mental retardation services including the operation of any community
16 mental health centers, community mental retardation centers or com-
17 munity mental health and [mental] retardation centers which may exist or be
18 thereafter established within the boundaries of such district, nor
19 shall the laws [Legislature] be required to provide that such dis-
20 trict [shall] assume full responsibility of public health department
21 units and clinics and related public health activities or services,
22 and the laws [Legislature] shall not be required to restrict the
23 power of any municipality or political subdivision to levy taxes or
24 issue bonds or other obligations or to expend public moneys for the
25 establishment, maintenance, support, or operation of mental health
26 services, mental retardation services, public health units or clinics
27 or related public health activities or services or the operation of

1 such community mental health or mental retardation centers within
2 the boundaries of the hospital districts; and unless a statute
3 creating a hospital district shall expressly prohibit participa-
4 tion by any entity other than the hospital district in the estab-
5 lishment, maintenance, or support of mental health services, mental
6 retardation services, public health units or clinics or related
7 public health activities within or partly within the boundaries of
8 any hospital district, any municipality or any other political sub-
9 division or state-supported entity within the hospital district may
10 participate in the establishment, maintenance, and support of men-
11 tal health services, mental retardation services, public health
12 units and clinics and related public health activities and may levy
13 taxes, issue bonds or other obligations, and expend public moneys
14 for such purposes as provided by law."

15 SECTION 108. That Article X, Section 2 of the Texas Consti-
16 tution be amended to read as follows:

17 "Section 2. Railroads heretofore constructed or which may
18 hereafter be constructed in this state are hereby declared public
19 highways, and railroad companies, common carriers. Laws shall be
20 enacted [The-Legislature-shall-pass-laws] to regulate railroad,
21 freight and passenger tariffs, to correct abuses and prevent unjust
22 discrimination and extortion in the rates of freight and passenger
23 tariffs on the different railroads in this state, and enforce the
24 same by adequate penalties; and to the further accomplishment of
25 these objects and purposes, may provide and establish all requisite
26 means and agencies invested with such powers as may be deemed
27 adequate and advisable."

1 SECTION 109. That Article XI, Section 5 of the Texas Consti-
2 tution be amended to read as follows:

3 "Section 5. Cities having more than five thousand (5,000)
4 ~~[{5000}]~~ inhabitants may, by a majority vote of the qualified
5 electors ~~[voters]~~ of said city, at an election held for that pur-
6 pose, adopt or amend their charters, subject to such limitations
7 as may be prescribed by law ~~[the-Legislature]~~, and providing that
8 no charter or any ordinance passed under said charter shall con-
9 tain any provision inconsistent with this ~~[the]~~ Constitution ~~[of~~
10 ~~the-State]~~, or of the general laws ~~[enacted-by-the-Legislature]~~ of
11 this State; said cities may levy, assess and collect such taxes as
12 may be authorized by law or by their charters; but no tax for any
13 purpose shall ever be lawful for any one year, which shall exceed
14 2 1/2% ~~[two-and-one-half-per-cent:]~~ of the taxable property of
15 such city, and no debt shall ever be created by any city, unless
16 at the same time provision be made to assess and collect annually
17 a sufficient sum to pay the interest thereon and creating a sinking
18 fund of at least 2% ~~[two-per-cent:]~~ thereon; and provided further,
19 that no city charter shall be altered, amended or repealed oftener
20 than every two years."

21 SECTION 110. That Article XI, Section 8 of the Texas Consti-
22 tution be amended to read as follows:

23 "Section 8. The counties and cities on the Gulf Coast being
24 subject to calamitous overflows, and a very large proportion of
25 the general revenue being derived from those otherwise prosperous
26 localities, laws may be enacted ~~[the-Legislature-is-especially~~
27 ~~autherized]~~ to aid by donation ~~[of]~~ such portion of the public

1 domain as may be deemed proper, and in such mode as may be provided
2 by such laws [law], the construction of sea walls, or breakwaters,
3 such aid to be proportioned to the extent and value of the works
4 constructed, or to be constructed, in any locality."

5 SECTION 111. That Article XI, Section 12 of the Texas Consti-
6 tution be amended to read as follows:

7 "Section 12. Laws may be enacted to [The-legislature-by
8 general-law-may] authorize a city or town to expend public funds
9 for the relocation or replacement of sanitation sewer laterals or
10 water laterals on private property if the relocation or replace-
11 ment is done in conjunction with or immediately following the
12 replacement or relocation of sanitation sewer mains or water mains
13 serving the property. The law must authorize the city or town to
14 affix, with the consent of the owner of the private property, a
15 lien on the property for the cost of relocating or replacing the
16 laterals on the property and must provide that the cost shall be
17 assessed against the property with repayment by the property owner
18 to be amortized over a period not to exceed five years at a rate
19 of interest to be set as provided by [the] law. The lien may not
20 be enforced until after five years have expired since the date the
21 lien was affixed."

22 SECTION 112. That Article XIII of the Texas Constitution be
23 amended by deleting the title "Spanish and Mexican Land Titles"
24 and substituting in lieu thereof the title "Powers Reserved to the
25 People".

26 SECTION 113. That Article XIII of the Texas Constitution be
27 amended by adding a new Section 3 to read as follows:

1 "Section 3. (A) The qualified electors are empowered to pro-
2 pose laws and constitutional amendments independently of the Legis-
3 lature and to ratify the same at a subsequent statewide election.

4 "(B) Any qualified elector may submit to the Secretary of State
5 an application for an initiative which shall embrace only one sub-
6 ject. Such application shall:

7 "(1) be printed on paper measuring 8 1/2 inches by 14 inches;

8 "(2) contain the title 'An Initiative';

9 "(3) contain a caption correctly and informatively summarizing,
10 as the case may be, the contents of any change(s) in law(s) which
11 the initiators desire to be submitted to the qualified electors at
12 a statewide election, or the contents of any change(s) in the State
13 Constitution which the initiators desire to be submitted to the
14 qualified electors at a statewide election;

15 "(4) contain the initiating clause 'Be It Initiated By The
16 People Of The State Of Texas:';

17 "(5) set forth the full text of any new law or constitutional
18 provision which the initiators desire to be submitted to the quali-
19 fied electors at a statewide election or any existing law or con-
20 stitutional provision to be completely repealed by submission to
21 the qualified electors at a statewide election; and, in the case
22 of an existing law or constitutional provision which the initiators
23 merely desire to be amended, the language sought to be added shall
24 be underlined and language sought to be deleted shall appear inside
25 of brackets and shall be stricken through by a horizontal uninter-
26 rupted or dashed line with added language preceding deleted language
27 when the former is to take the place of the latter;

1 "(6) contain the date on which the change in law or in the
2 Constitution sought by the initiators is requested by them to
3 take effect;

4 "(7) repeatedly contain three horizontal lines -- the first
5 on which shall appear a qualified elector's name either typewritten
6 or printed legibly by hand; the second to contain either the domi-
7 cile address or the voter registration number of the qualified
8 elector; and the third on which the qualified elector must per-
9 sonally, and in the presence of a witness, sign his name;

10 "(C) (1) An application for an Initiative must be signed by
11 qualified electors in quantity equal to or greater than 15% for
12 statutory change, and 20% for constitutional amendment, of all
13 votes cast for the office of Governor in the last preceding general
14 election at which that office was to be filled. The application
15 shall be submitted to the Secretary of State who shall proceed to
16 determine the validity of the signatures for qualification and
17 authenticity.

18 "(2) The Secretary of State shall be allowed not more than
19 90 days in which to determine whether or not the application for
20 an Initiative has been signed by the requisite number of qualified
21 electors and if such criteria are satisfied, he shall endorse said
22 application under the Seal of the State and the application shall
23 thenceforth be referred to as simply ' An Initiative'. The
24 Secretary of State shall number, in the order in which applica-
25 tions are adjudged to be valid, each Initiative.

26 "(3) The Secretary of State shall refuse to accept any
27 application for an Initiative if submitted to him after the 120th

1 day preceding the election date specified in the application.

2 "(D) No change(s) in the law(s) or Constitution of this State
3 sought by initiators to be submitted to the qualified electors in
4 a statewide election shall be effective unless same shall receive a
5 favorable majority of the total number of votes cast on the propo-
6 sition.

7 "(E) Any new law or added constitutional provision shall in
8 all respects be on an equal footing with any such new law or added
9 constitutional provision resulting from action of the Legislature.

10 "(F) No initiated proposition shall be submitted to the quali-
11 fied electors for consideration except on the first Tuesday after
12 the first Monday of November of any year.

13 "(G) The qualified electors may enact only those laws which:

14 "(i) the Legislature is not forbidden to enact by this Consti-
15 tution; and

16 "(ii) this Constitution does not specifically provide that
17 only the Legislature may enact.

18 "(H) Enabling laws may be enacted to give effect to this
19 Section."

20 SECTION 114. That Article XV, Section 7 of the Texas Consti-
21 tution be amended to read as follows:

22 "Section 7. Laws may be enacted to [The-Legislature-shall]
23 provide [by-law] for the trial and removal from office of all
24 officers of this State, the modes for which have not been pro-
25 vided in this Constitution."

26 SECTION 115. That Article XVI, Section 6 of the Texas Consti-
27 tution be amended by amending subsection (b) thereof to read as

1 follows:

2 "(b) (i) State agencies charged with the responsibility of
3 providing services to those who are blind, crippled, or otherwise
4 physically or mentally handicapped may accept money from private or Federal
5 [~~federal~~] sources, designated by the private or Federal [~~federal~~] source
6 as money to be used in and establishing and equipping facilities
7 for assisting those who are blind, crippled, or otherwise phys-
8 ically or mentally handicapped in becoming gainfully employed, in
9 rehabilitating and restoring the handicapped, and in providing
10 other services determined by the State [~~state~~] agency to be essen-
11 tial for the better care and treatment of the handicapped. Money
12 accepted under this Subsection [~~subsection~~] is State [~~state~~] money.
13 State agencies may spend money accepted under this Subsection [~~sub-~~
14 ~~section~~], and no other money, for specific programs and projects
15 to be conducted by local level or other private, nonsectarian asso-
16 ciations, groups, and nonprofit organizations, in establishing and
17 equipping facilities for assisting those who are blind, crippled,
18 or otherwise physically or mentally handicapped in becoming gain-
19 fully employed, in rehabilitating and restoring the handicapped,
20 and in providing other services determined by the State [~~state~~]
21 agency to be essential for the better care or treatment of the
22 handicapped.

23 "(ii) The State [~~state~~] agencies may deposit money accepted
24 under this Subsection [~~subsection~~] either in the State Treasury
25 [~~state-treasury~~] or in other secure depositories. The money may
26 not be expended for any purpose other than the purpose for which
27 it was given. Notwithstanding any other provision of this Consti-

1 tution, the State [state] agencies may expend money accepted under
2 this Subsection [subseetion] without the necessity of an appropria-
3 tion, unless [the-Legislature], by law [;] it is required [requires]
4 that the money be expended only on appropriation. Laws may be
5 enacted to [The-Legislature-may] prohibit State [state] agencies
6 from accepting money under this Subsection [subseetion] or to [may]
7 regulate the amount of money accepted, the way the acceptance and
8 expenditure of the money is administered, and the purposes for which
9 the State [state] agencies may expend the money. Money accepted
10 under this Subsection [subseetion] for a purpose prohibited by law
11 [the-Legislature] shall be returned to the entity that gave the
12 money.

13 "(iii) This Subsection [subseetion] does not prohibit State
14 [state] agencies authorized to render services to the handicapped
15 from contracting with privately-owned or local facilities for
16 necessary and essential services, subject to such conditions, stan-
17 dards, and procedures as may be prescribed by law."

18 SECTION 116. That Article XVI, Section 10 of the Texas Con-
19 stitution be amended to read as follows:

20 "Section 10. Laws shall be enacted to [The-Legislature-shall]
21 provide for deductions from the salaries of public officers who may
22 neglect the performance of any duty that may be assigned them by
23 law."

24 SECTION 117. That Article XVI, Section 11 of the Texas Con-
25 stitution be amended to read as follows:

26 "Section 11. Laws may be enacted to [The-Legislature-shall
27 have-authority-to] classify loans and lenders, license and regulate

1 lenders, define interest and fix maximum rates of interest; pro-
2 vided, however, in the absence of legislation fixing maximum rates
3 of interest all contracts for a greater rate of interest than [ten
4 per-centum-{} 10% {}] per annum shall be deemed usurious; provided,
5 further, that in contracts where no rate of interest is agreed upon,
6 the rate shall not exceed [six-per-centum-{} 6% {}] per annum.
7 Should any regulatory agency, acting under the provisions of this
8 Section, cancel or refuse to grant any permit under any law [passed
9 by-the-Legislature]; then such applicant or holder shall have the
10 right of appeal to the courts and granted a trial de novo as that
11 term is used in appealing from the justice of the peace court to
12 the county court."

13 SECTION 118. That Article XVI, Section 16 of the Texas Con-
14 stitution be amended by amending subsections (a), (b), (d) and (e)
15 thereof to read as follows:

16 "(a) (i) Laws shall be enacted to [The-Legislature-shall-by
17 general-laws;] authorize the incorporation of state banks and
18 savings and loan associations and shall provide for a system of
19 State supervision, regulation and control of such bodies which
20 will adequately protect and secure the depositors and creditors
21 thereof.

22 "(ii) No state bank shall be chartered until all of the author-
23 ized capital stock has been subscribed and paid in full in cash.
24 Except as may be permitted by law [the-Legislature] pursuant to
25 Subsections (b), (d) and (e) of this Section [16], a state bank
26 shall not be authorized to engage in business at more than one
27 place which shall be designated in its charter; however, this re-

1 striction shall not apply to any other type of financial institu-
2 tion chartered under the laws of this State [state].

3 "(iii) No foreign corporation, other than the national banks
4 of the United States domiciled in this state [State], shall be per-
5 mitted to exercise banking or discounting privileges in this state
6 [State].

7 "(b) If [~~it-finds-that~~] the convenience of the public will be
8 served thereby, laws may be enacted to [~~the-Legislature-may~~] author-
9 ize state [State] and national banks to establish and operate un-
10 manned teller machines within the county or city of their domicile.
11 Such machines may perform all banking functions. Banks which are
12 domiciled within a city lying in two or more counties may be per-
13 mitted to establish and operate unmanned teller machines within
14 both the city and the county of their domicile. Laws shall be en-
15 acted to [~~The-Legislature-shall~~] provide that a bank shall have the
16 right to share in the use of these teller machines, not situated at
17 a banking house, which are located within the county or the city of
18 the bank's domicile, on a reasonable, nondiscriminatory basis, con-
19 sistent with anti-trust laws. Banks may share the use of such ma-
20 chines within the county or city of their domicile with savings and
21 loan associations and credit unions which are domiciled in the same
22 county or city.

23 "(d) Laws may be enacted to [~~The-Legislature-may~~] authorize a
24 state bank or national bank of the United States domiciled in this
25 state [State] to engage in business at more than one place if it
26 does so through the purchase and assumption of certain assets and
27 liabilities of a failed state bank or a failed national bank of the

1 United States domiciled in this state [State].

2 "(e) Laws shall be enacted to [The-Legislature-shall] author-
3 ize a state bank or national bank of the United States domiciled in
4 this state [State] to establish and operate banking facilities at
5 locations within the county or city of its domicile, subject to lim-
6 itations the laws impose [Legislature-imposes]. Laws may be enac-
7 ted to [The-Legislature-may] permit a bank domiciled within a city
8 located in two or more counties to establish and operate branches
9 within both the city and the county of its domicile, subject to
10 limitations imposed by law [the-Legislature-imposes]."

11 SECTION 119. That Article XVI, Section 19 of the Texas Con-
12 stitution be amended to read as follows:

13 "Section 19. Laws shall be enacted to [The-Legislature-shall]
14 prescribe [by-law] the qualifications of grand and petit jurors;
15 provided that neither the right nor the duty to serve on grand and
16 petit juries shall be denied or abridged by reason by sex. When-
17 ever in this [the] Constitution the term 'men' is used in reference
18 to grand or petit jurors, such term shall include persons of the
19 female as well as the male sex."

20 SECTION 120. That Article XVI, Section 20 of the Texas Con-
21 stitution be amended to read as follows:

22 "Section 20. (a) Laws may be enacted [The-Legislature-shall
23 ~~have-the-power-to-enact-a-Mixed-Beverage-Law~~] regulating the sale
24 of mixed alcoholic beverages on a local option election basis.
25 Laws may also be enacted [The-Legislature-shall-also-have-the-power]
26 to regulate the manufacture, sale, possession and transportation of
27 intoxicating liquors, including the power to establish a State Mono-

1 poly on the sale of distilled liquors.

2 "[Should-the-Legislature-enact-any-enabling-laws-in-anticipa-
3 tion-of-this-amendment;-no-such-law--shall-be-void-by-reason-of
4 its-anticipatory-nature.]

5 "(b) Laws shall be enacted [The-Legislature-shall-enact-a-law
6 or-laws] whereby the qualified electors [voters] of any county,
7 justice's precinct or incorporated town or city, may, by a major-
8 ity vote of those voting, determine from time to time whether the
9 sale of intoxicating liquors for beverage purposes shall be prohib-
10 ited or legalized within the prescribed limits; and such laws shall
11 contain provisions for voting on the sale of intoxicating liquors
12 of various types and various alcoholic content.

13 "(c) In all counties, justice's precincts or incorporated
14 towns or cities wherein the sale of intoxicating liquors had been
15 prohibited by local option elections held under the laws of this
16 [the] State [of-Texas] and in force at the time of the taking effect
17 of this Section [Section-20;-Article-XVI-of-the-Constitution-of
18 Texas], it shall continue to be unlawful to manufacture, sell, bar-
19 ter or exchange in any such county, justice's precinct or incor-
20 porated town or city, any spiritous, vinous or malt liquors or
21 medicated bitters capable of producing intoxication or any other
22 intoxicants whatsoever, for beverage purposes, unless and until a
23 majority of the qualified voters in such county or political sub-
24 division thereof voting in an election held for such purpose shall
25 determine such to be lawful; provided that this Subsection [subsec-
26 tion] shall not prohibit the sale of alcoholic beverages containing
27 not more than 3.2% [per-cent] alcohol by weight in cities, counties

1 or political subdivisions thereof in which the qualified electors
2 [~~voters~~] have voted to legalize such sale under the provisions of
3 Chapter 116, Acts of the Regular Session of the 43rd Legislature.

4 "(d) Enabling laws may be enacted to give effect to this
5 Section."

6 SECTION 121. That Article XVI, Section 21 of the Texas Con-
7 stitution be amended to read as follows:

8 "Section 21. All stationery, printing, fuel used in the Leg-
9 islature [~~legislature~~] and departments of the State government other
10 than the judicial department, printing and binding of the laws,
11 journals, and department reports, and all other printing and bind-
12 ing and the repairing and furnishing of the halls and rooms used
13 during meetings of the Legislature [~~legislature~~] and in committees,
14 except proclamations and such products and services as may be done
15 by handicapped individuals employed in nonprofit rehabilitation
16 facilities providing sheltered employment to the handicapped in
17 Texas, shall be performed under contract, to be given to the lowest
18 responsible bidder, below such maximum price and under such regu-
19 lations as shall be prescribed by law. No member or officer of any
20 department of the State government shall in any way have a finan-
21 cial interest in such contracts, and all such contracts or programs
22 involving the State [~~state~~] use of the products and services of
23 handicapped individuals shall be subject to such requirements as
24 might be established by law [~~the-legislature~~]."

25 SECTION 122. That Article XVI, Section 22 of the Texas Con-
26 stitution be amended to read as follows:

27 "Section 22. Laws may be enacted to meet the wants of the

1 people in the matter of fencing, applicable to any political sub-
2 division of the State [~~The-Legislature-shall-have-the-power-to~~
3 ~~pass-such-fence-laws;-applicable-to-any-sub-division-of-the-State;~~
4 ~~or-counties;-as-may-be-needed-to-meet-the-wants-of-the-people~~]."

5 SECTION 123. That Article XVI, Section 23 of the Texas Con-
6 stitution be amended to read as follows:

7 "Section 23. Laws may be enacted [~~The-Legislature-may-pass~~
8 ~~laws~~] for the regulation of live stock and the protection of stock
9 raisers in the stock raising portion of the State, and exempt from
10 the operation of such laws other portions, sections or counties;
11 and such laws may provide [~~shall-have-power-to-pass-general-and~~
12 ~~special-laws~~] for the inspection of cattle, stock and hides and
13 for the regulation of brands; provided, that any local law enacted
14 by the Legislature [~~thus-passed~~] shall be submitted to the free-
15 holders of the section to be affected thereby, and approved by
16 them, before it shall go into effect."

17 SECTION 124. That Article XVI, Section 24 of the Texas Con-
18 stitution be amended to read as follows:

19 "Section 24. Laws shall be enacted to provide [~~The-Legisla-~~
20 ~~ture-shall-make-provisien~~] for laying out and working public roads,
21 for the building of bridges, and for utilizing fines, forfeitures,
22 and convict labor to all these purposes."

23 SECTION 125. That Article XVI, Section 25 of the Texas Con-
24 stitution be amended to read as follows:

25 "Section 25. That all drawbacks and rebatement of insurance,
26 freight, transportation, carriage, wharfage, storage, compressing,
27 baling, repairing, or for any other kind of labor or service of, or

1 to any cotton, grain, or any other produce or article of commerce
2 in this state [State], paid or allowed or contracted for, to any
3 common carrier, shipper, merchant, commission merchant, factor,
4 agent, or middleman of any kind, not true and absolute owner
5 thereof, are forever prohibited and laws shall be enacted to punish
6 ~~[it-shall-be-the-duty-of-the-Legislature-to-pass-effective-laws~~
7 ~~punishing]~~ all persons in this state [State] who pay, receive or
8 contract for, or respecting the same."

9 SECTION 126. That Article XVI, Section 30 of the Texas Con-
10 stitution be amended by amending subsection (c) thereof to read as
11 follows:

12 "(c) Laws may be enacted to [The-Legislature-may] provide that
13 members of the governing board of a district or authority of Article
14 III, Section 52 (b)(1) or (2), or Article XVI, Section 59, of this
15 Constitution serve terms not to exceed four years."

16 SECTION 127. That Article XVI, Section 30a of the Texas Con-
17 stitution be amended to read as follows:

18 "Section 30a. Laws may be enacted to [The-Legislature-may]
19 provide [by-law] that the members of the Board of Regents of the
20 colleges and universities [State-University] and boards of trustees
21 or managers of the educational, eleemosynary, and penal institutions
22 of the State, and such boards as have been, or may hereafter be es-
23 tablished by law, may hold their respective offices for the term of
24 six (6) years, one-third of the members of such boards to be elected
25 or appointed every two (2) years in such manner as may be prescribed
26 by law [the-Legislature-may-determine;-vacancies-in-such-offices-to
27 be-filled-as-may-be-provided-by-law;-and-the-Legislature-shall-enact

1 ~~suitable-laws-to-give-effect-to-this-section]."~~

2 SECTION 128. That Article XVI, Section 31 of the Texas Con-
3 stitution be amended to read as follows:

4 "Section 31. Laws may be enacted to prescribe [~~The-Legislature~~
5 ~~may pass laws-prescribing~~] the qualifications of practitioners of
6 medicine in this state [State], and to punish persons for malprac-
7 tice, but no preference shall ever be given by law to any schools
8 of medicine."

9 SECTION 129. That Article XVI, Section 37 of the Texas Con-
10 stitution be amended to read as follows:

11 "Section 37. Mechanics, artisans and material men, of every
12 class, shall have a lien upon the buildings and articles made or
13 repaired by them for the value of their labor done thereon, or
14 material furnished therefor; and laws shall be enacted to [~~the~~
15 ~~Legislature-shall~~] provide [~~by-law~~] for the speedy and efficient
16 enforcement of said liens."

17 SECTION 130. That Article XVI, Section 44 of the Texas Con-
18 stitution be amended by amending subsection (a) thereof to read as
19 follows:

20 "(a) Except as otherwise provided by this Section, laws may
21 be enacted to [~~section;-the-Legislature-shall~~] prescribe the duties
22 and provide for the election by the qualified electors [~~voters~~] of
23 each county in this state [State], of a County Treasurer and a
24 County Surveyor, who shall have an office at the county seat, and
25 hold [~~their~~] office for four years, and until their successors are
26 qualified; and shall have such compensation as may be provided by
27 law."

1 SECTION 131. That Article XVI, Section 48 of the Texas Con-
2 stitution be amended to read as follows:

3 "Section 48. All laws and parts of laws now in force in the
4 State of Texas, which are not repugnant to the Constitution of the
5 United States, or to this Constitution, shall continue and remain
6 in force as the laws of this State, until they expire by their own
7 limitation or shall be amended or repealed either by the Legisla-
8 ture or by the qualified electors."

9 SECTION 132. That Article XVI, Section 49 of the Texas Con-
10 stitution be amended to read as follows:

11 "Section 49. Laws may be enacted [~~The-Legislature-shall-have~~
12 ~~power;-and-it-shall-be-its-duty;~~] to protect [by-law] from forced
13 sale a certain portion of the personal property of all heads of
14 families, and also of unmarried adults, male and female."

15 SECTION 133. That Article XVI, Section 68 of the Texas Con-
16 stitution be amended to read as follows:

17 "Section 68. Laws may be enacted to [~~The-legislature-may~~
18 provide for the advancement of food and fiber in this state by pro-
19 viding representative associations of agricultural producers with
20 authority to collect such refundable assessments on their product
21 sales as may be approved by referenda of producers. All revenue
22 collected shall be used solely to finance programs of marketing,
23 promotion, research, and education relating to that commodity."

24 SECTION 134. That Article XVI, Section 70 be amended by
25 amending subsection (o) thereof to read as follows:

26 "(o) Laws shall be enacted to establish a [~~The-legislature~~
27 ~~shall-provide-by-law-for-the]~~ periodic review of the board of

1 trustees in the same manner and at the same intervals as it pro-
2 vides for review of other State [state] agencies, except that the
3 laws [legislature] shall provide that the board of trustees is not
4 subject to abolishment as part of the review process."

5 SECTION 135. That Article XVII, Section 1 of the Texas Con-
6 stitution be amended to read as follows:

7 "Section 1. (a) The qualified electors at any time and the
8 [The] Legislature, at any regular session [;] or at any special
9 session when the matter is included within the purposes for which
10 the special session is convened, may propose amendments revising
11 this [the] Constitution, to be voted upon by the qualified electors
12 for statewide offices and propositions, as defined in this [the]
13 Constitution and/or laws [and-statutes] of this State. The date of
14 the elections shall be specified by the qualified electors applying
15 for an initiative to amend this Constitution or by the Legislature,
16 as the case may be. When proposed by the Legislature, the [The]
17 proposal for submission must be approved by a vote of two-thirds of
18 all the members elected to each House, entered by yeas and nays on
19 the journals.

20 "(b) A brief explanatory statement of the nature of a proposed
21 amendment, together with the date of the election and the wording
22 of the proposition as it is to appear on the ballot, shall be pub-
23 lished twice in each newspaper in the state [State] which meets
24 requirements set by law [the-Legislature] for the publication of
25 official notices of officers and departments of the State [state]
26 government. The explanatory statement shall be prepared by the
27 Secretary of State and shall be approved by the Attorney General.

1 The Secretary of State shall send a full and complete copy of the
2 proposed amendment or amendments to each county clerk who shall
3 post the same in a public place in the courthouse at least 30 days
4 prior to the election on said amendment. The first notice shall
5 be published not more than 60 days nor less than 50 days before
6 the date of the election, and the second notice shall be published
7 on the same day in the succeeding week. Laws shall be enacted to
8 [The-Legislature-shall] fix the standards for the rate of charge
9 for the publication, which may not be higher than the newspaper's
10 published national rate for advertising per column inch.

11 "(c) The election shall be held in accordance with procedures
12 prescribed by law [the-Legislature], and the returning officer in
13 each county shall make returns to the Secretary of State of the
14 number of legal votes cast at the election for and against each
15 amendment. If it appears from the returns that a majority of the
16 votes cast have been cast in favor of an amendment, it shall be-
17 come a part of this Constitution, and proclamation thereof shall
18 be made by the Governor.

19 "(d) The provisions of Article XIII of this Constitution, and
20 elsewhere herein, shall govern the initiation by the qualified
21 electors of laws and constitutional amendments.

22 "(e) Enabling laws may be enacted to give effect to this
23 Section."

24 SECTION 136. That this proposed constitutional amendment
25 shall be submitted to the voters at an election to be held on
26 November 7, 1989. The ballot shall be printed to provide for
27 voting for or against the proposition: "The constitutional amend-

1 ment to reserve to the people the power to enact laws and propose
2 constitutional amendments at the polls independently of the
3 Legislature."

HOUSE JOINT RESOLUTION

proposing a constitutional amendment to reserve to the people the power of initiative.

DEC 19 1988

1. Filed with the Chief Clerk.

JAN 25 1989

2. Read first time and referred to Committee on

State Affairs

3. Reported favorably (as amended) and sent to Printer at (as substituted)

4. Printed and distributed at

5. Sent to Committee on Calendars at

6. Read second time (amended) and (finally) passed to Third Reading by a Record Vote of _____ yeas, _____ nays, _____ present, not voting.

7. Motion to reconsider and table the vote by which H.J.R. _____ was ordered engrossed prevailed (failed) by (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, _____ present, not voting).

8. Read third time (amended) and finally adopted (failed of adoption) by a Record Vote of _____ yeas, _____ nays, _____ present, not voting.

9. Caption ordered amended to conform to body of resolution.

10. Motion to reconsider and table the vote by which H.J.R. _____ was finally adopted prevailed (failed) by a (Non-Record Vote) Record Vote of _____ yeas, _____ nays, and _____ present, not voting).

11. Ordered Engrossed at

12. Engrossed.

13. Returned to Chief Clerk at

14. Sent to the Senate.

Chief Clerk of the House

15. Received from the House

16. Read, referred to Committee on

17. Reported favorably

18. Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

19. Ordered not printed.

20. Regular order of business suspended by (a viva voce vote.) _____ yeas, _____ nays.)

21. To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of _____ yeas, _____ nays.

22. Read second time passed to third reading by: (a viva voce vote.) _____ yeas, _____ nays.)

_____ 23. Caption ordered amended to conform to body of bill.

_____ 24. Senate and Constitutional 3-Day Rules suspended by vote of _____ yeas,
_____ nays to place bill on third reading and final passage.

_____ 25. Read third time and passed by
(a viva voce vote.)
(_____ yeas, _____ nays.)

OTHER ACTION:

OTHER ACTION:

Secretary of the Senate

_____ 26. Returned to the House.

_____ 27. Received from the Senate (with amendments.)
(as substituted.)

_____ 28. House (Concurred) (Refused to Concur) in Senate (Amendments) by a (Non-Record
(Substitute) Vote) (Record Vote of _____ yeas, _____ nays, _____ present,
not voting).

_____ 29. Conference Committee Ordered.

_____ 30. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record
Vote of _____ yeas, _____ nays, and _____ present, not voting).

_____ 31. Ordered Enrolled at _____